

UTAH INTERNATIONAL TRADE COMMISSION

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheryl L. Allen

Senate Sponsor: Gregory S. Bell

LONG TITLE

General Description:

This bill creates a legislative commission to address international trade issues.

Highlighted Provisions:

This bill:

▶ provides for a legislative commission to study policy issues concerning:

• international trade treaties' effects on the Legislature's regulation of state affairs;

• creation of trade-related position in state government; and

• the promotion of international trade relationships with Utah ~~H→ [-]~~ ; ~~S→ [and]~~ ~~←S~~

requires the governor to consult with the commission before binding the state to an

international trade agreement ~~S→ [-]~~ ; and

▶ provides a repeal date. ~~←S~~ ~~←H~~

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~S→~~ **AMENDS:**

63-55-236, as last amended by Chapter 86, Laws of Utah 2005

63-55-267, as last amended by Chapter 37, Laws of Utah 2004 ~~←S~~

ENACTS:

36-26-101, Utah Code Annotated 1953

36-26-102, Utah Code Annotated 1953

36-26-103, Utah Code Annotated 1953

36-26-104, Utah Code Annotated 1953

~~S→~~ **67-1-15, Utah Code Annotated 1953** ~~←S~~



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

29 Section 1. Section **36-26-101** is enacted to read:

30 **CHAPTER 26. UTAH INTERNATIONAL TRADE COMMISSION**

31 **36-26-101. Title.**

32 This chapter is known as the "Utah International Trade Commission."

33 Section 2. Section **36-26-102** is enacted to read:

34 **36-26-102. Utah International Trade Commission -- Creation -- Membership --**
35 **Chairs -- Per diem and expenses.**

36 (1) There is created the Utah International Trade Commission.

37 (2) The commission membership consists of 11 members of which:

38 (a) eight members to be appointed as follows:

39 (i) five members from the House of Representatives, appointed by the speaker of the
40 House of Representatives, no more than three from the same political party; and

41 (ii) three members from the Senate, appointed by the president of the Senate, no more
42 than two members from the same political party;

43 (b) two nonvoting members to be appointed by the governor; and

44 (c) the Utah Attorney General or designee, who is a nonvoting member.

45 (3) (a) The members appointed or reappointed by the governor shall serve two-year
46 terms.

47 (b) Notwithstanding the requirement of Subsection (3)(a), the governor shall, at the
48 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
49 these members are staggered so that approximately half of the members are appointed or
50 reappointed under Subsection (3)(c) every two years;

51 (c) when a vacancy occurs among members appointed by the governor, the replacement
52 shall be appointed for the unexpired term; and

53 (d) one of the two members appointed by the governor shall be from a Utah industry
54 involved in international trade.

55 (4) Four members of the commission constitute a quorum.

56 (5) (a) The speaker of the House of Representatives shall designate a member of the
57 House of Representatives appointed under Subsection (2)(a) as a cochair of the commission.

58 (b) The president of the Senate shall designate a member of the Senate appointed under

59 Subsection (2)(a) as a cochair of the commission.

60 (6) (a) State government officer and employee members who do not receive salary, per
 61 diem, or expenses from their agency for their commission service may receive per diem and
 62 expenses at the rates incurred in the performance of their official commission duties at the rates
 63 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

64 (b) Legislators on the commission receive compensation and expenses as provided by
 65 law and legislative rule.

66 Section 3. Section **36-26-103** is enacted to read:

67 **36-26-103. Duties.**

68 The commission shall:

69 (1) comply with the rules of legislative interim committees unless those rules conflict
 70 with this section;

71 (2) study and make recommendations to the Legislature concerning:

72 (a) the impact of international treaties adopted by the United States Senate on the
 73 Legislature's constitutional powers to regulate state affairs, public and private;

74 (b) the creation, duties and powers, and oversight of a state trade representative or state
 75 point of contact; and

76 (c) the promotion of international trade with Utah; ~~H~~→ [and] ←~~H~~

77 (3) maintain active communication with:

78 (a) the United States trade representative's office;

79 (b) Utah's Congressional delegation;

80 (c) Utah's state trade representative or state point of contact, if created; and

81 (d) any other organization whose mission involves international trade in the United
 82 States as the commission considers appropriate ~~H~~→ [;] ; and

82a (4) have no more than four paid meetings per year. ←~~H~~

83 Section 4. Section **36-26-104** is enacted to read:

84 **36-26-104. Staff support.**

85 The Office of Legislative Research and General Counsel shall provide staff services to
 86 the commission.

86a ~~S~~→ **Section 5. Section 63-55-236 is amended to read:**

86b **63-55-236. Repeal dates, Title 36.**

86c **Sections 36-26-101 through 36-26-104 are repealed December 31, 2007.**

86d **Section 6. Section 63-55-267 is amended to read:**

86e **63-55-267. Repeal dates, Title 67.**

86f **Section 67-1-15 is repealed December 31, 2007. ←~~S~~**

86a ~~H~~→ **Section 5. Section 67-1-15 is enacted to read:**

86b **67-1-15. Approval of international trade agreement -- Consultation with Utah**

86c **International Trade Commission.**

86d **Before binding the state or giving the federal government consent to bind the state to an**

86e **international trade agreement the Governor shall consult with the Utah International Trade**

86f **Commission. ←~~H~~**

Legislative Review Note

as of 11-10-05 8:58 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Interim Committee Note

as of 12-21-05 10:51 AM

The Public Utilities and Technology Interim Committee recommended this bill.

AMENDED NOTE

State Impact

Provisions of this bill requires eight legislators to participate as membership on the Utah International Trade Commission. If the commission meets four times each year, as provided by the bill, it estimated to cost \$9,200 from the General Fund. Those funds will be distributed \$3,500 to the Senate and \$5,700 to the House of Representatives. It is unknown at this time if the commission would host delegations from other countries or sponsor trade missions to other countries. If either happens additional funds would be required. Past experience has shown that between \$100,000 and \$300,000 was expended for trade missions sponsored by the State.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$9,200	\$9,200	\$0	\$0
TOTAL	\$9,200	\$9,200	\$0	\$0

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst