

1 LEGISLATIVE MANAGEMENT POWERS

2 2009 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Michael G. Waddoups

5 House Sponsor: David Clark

6

7 LONG TITLE

8 General Description:

9 This bill amends the statutory duties and powers of the Legislative Management
10 Committee.

11 Highlighted Provisions:

12 This bill:

13 ▶ provides, in statute, that the Legislative Management Committee has the authority
14 to ~~§→ [authorize the Legislature's initiation of, response to, intervention in, or~~
15 ~~participation in certain proceedings that involve a core interest of the Legislature.]~~ direct the
16 legislative general counsel in matters involving the Legislature's participation in litigation. ~~←§~~

17 Monies Appropriated in this Bill:

18 None

19 Other Special Clauses:

20 None

21 Utah Code Sections Affected:

22 AMENDS:

23 36-12-7, as last amended by Laws of Utah 1995, Chapter 2

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

25 Section 1. Section 36-12-7 is amended to read:

26 **36-12-7. Legislative Management Committee -- Duties.**

27 (1) The Senate or House Management Committee shall:



28 (a) receive legislative resolutions directing studies on legislative matters and may
29 assign these studies to the appropriate interim committee of its house;

30 (b) assign to interim committees of the same house, matters of legislative study not
31 specifically contained in a legislative resolution but considered significant to the welfare of the
32 state;

33 (c) receive requests from interim committees of its house for matters to be included on
34 the study agenda of the requesting committee. Appropriate bases for denying a study include
35 inadequate funding to properly complete the study or duplication of the work;

36 (d) establish a budget account for interim committee day as designated by Legislative
37 Management Committee and for all other legislative committees of its house and allocate to
38 that account sufficient funds to adequately provide for the work of the committee; and

39 (e) designate the time and place for periodic meetings of the interim committees.

40 (2) To maximize the use of legislators' available time, the Senate and House
41 Management Committees should attempt to schedule the committee meetings of their
42 respective houses during the same one or two-day period each month. This does not preclude
43 an interim committee from meeting at any time it determines necessary to complete its
44 business.

45 (3) The Legislative Management Committee shall:

46 (a) employ, after recommendation of the appropriate subcommittee of the Legislative
47 Management Committee, without regard to political affiliation, and subject to approval of a
48 majority vote of both houses, persons qualified for the positions of director of the Office of
49 Legislative Research and General Counsel, legislative fiscal analyst, legislative general
50 counsel, and legislative auditor general. Appointments to these positions shall be for terms of
51 six years subject to renewal under the same procedure as the original appointment. A person
52 may be removed from any of these offices prior to the expiration of his term only by a majority
53 vote of both houses of the Legislature or by a 2/3 vote of the management committee for such
54 causes as inefficiency, incompetency, failure to maintain skills or adequate performance levels,
55 insubordination, misfeasance, malfeasance, or nonfeasance in office. In the event a vacancy
56 occurs in any of these offices after adjournment of the Legislature, the committee shall appoint
57 an individual to fill the vacancy until such time as the person is approved or rejected by
58 majority vote of the next session of the Legislature;

59 (b) develop policies for personnel management, compensation, and training of all
60 professional legislative staff;

61 (c) develop a policy within the limits of legislative appropriation for the authorization
62 and payment to legislators of compensation and travel expenses, including out-of-state travel;

63 (d) approve special study budget requests of the legislative directors; and

64 (e) assist the speaker-elect of the House of Representatives and the president-elect of
65 the Senate, upon selection by their majority party caucus, to organize their respective houses of
66 the Legislature and assume the direction of the operation of the Legislature in the forthcoming
67 annual general session.

68 (4) The Legislature delegates to the Legislative Management Committee the authority,
69 by means of a majority vote of the committee, to ~~§~~→ [initiate, respond to, intervene in, or otherwise
70 participate in any judicial, administrative, or other proceeding on behalf of and in the name of
71 the Legislature as a whole, in order to assert or defend an interest of the Legislature.] direct the
71a legislative general counsel in matters involving the Legislature's participation in litigation. ←~~§~~

Legislative Review Note
as of 1-28-09 5:07 PM

Office of Legislative Research and General Counsel

S.B. 152 - Legislative Management Powers

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
