

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &  
POLITICAL SUBDIVISIONS STANDING COMMITTEE  
THURSDAY JANUARY 27, 2011, 2:00 P.M.  
ROOM 415 STATE CAPITOL**

Members Present:            Sen. Peter C. Knudson, Chair  
                                  Sen. Margaret Dayton  
                                  Sen. Scott K. Jenkins  
                                  Sen. Daniel Thatcher  
                                  Sen. Luz Robles

Staff Present:                Rich North, Policy Analyst  
                                  Lorna Wells, Committee Secretary

Public Speakers Present:    Darin Underwood, Audit Manager, Legislative Auditor's Office  
                                  Jacki Evans, Research Director, Utah Taxpayers Association  
                                  Stan Rasmussen, Sutherland Institute  
                                  Jon Memmott, Chair Constitutional Revision Commission  
                                  Keith Prescott, Chair Tax Review Commission  
                                  Bruce Johnson, Chair Utah Tax Commission

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Knudson called the meeting to order at 2:25 p.m.

**MOTION:** Sen. Thatcher moved to approve the minutes of January 25, 2011. The motion passed unanimously with Sens. Dayton and Jenkins absent for the vote.

1.     **SJR 005** - Joint Rules Resolution on Fiscal Note Process

**MOTION:** Sen. Thatcher moved to adopt amendment #1 to this bill. The motion passed unanimously with Sens. Dayton and Jenkins absent for the vote.

1.    *Page 1, Lines 15 through 16:*

15       ▶    provides for the placement of a performance note on legislation that creates a  
                  new

16    program or agency; =

=    ▶    **provides that deadlines for fiscal notes and performance notes be calculated  
by business days rather than legislative days;**

2.    *Page 2, Line 37:*

37    Legislative Rules Affected:

**AMENDS:**

**JR4-2-403**

3. *Page 2, Line 42:*

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

= **Section 1. JR4-2-403 is amended to read:**

JR4-2-403. Fiscal Notes.

(1) (a) (i) When the Legislative Fiscal Analyst receives the electronic copy of the approved legislation from the Office of Legislative Research and General Counsel, that office shall, within three ~~{legislative}~~ business days:

(A) review and analyze the legislation to determine its fiscal impact; and

(B) provide a fiscal note to the sponsor of the legislation.

(ii) The three day deadline for the preparation of the fiscal note may be extended if the Legislative Fiscal Analyst requests it, states the reasons for the delay, and informs the sponsor of the legislation of the delay.

(b) If the Legislative Fiscal Analyst determines that the legislation has no fiscal impact, the Legislative Fiscal Analyst may release the fiscal note immediately after the sponsor has received a copy of the fiscal note.

(c) The sponsor may:

(i) approve the release of the fiscal note;

(ii) direct that the fiscal note be held; or

(iii) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst to discuss that disagreement and provide evidence, data, or other information to support a revised fiscal note.

(d) If the sponsor does not contact the Legislative Fiscal Analyst with instructions about the fiscal note within one 24 hour legislative day, the Legislative Fiscal Analyst shall release the fiscal note.

(e) The Legislative Fiscal Analyst shall make the final determination on the fiscal note.

(f) The fiscal note shall be printed with the legislation.

(2) If an amendment or a substitute to legislation appears to substantively change the fiscal impact of the legislation, the Legislative Fiscal Analyst shall prepare an amended fiscal note for the legislation.

(3) The fiscal note is not an official part of the legislation.

4. *Page 6, Lines 156 through 157:*

156 (6) The Legislative Auditor General may use the performance note in its review of  
new

157 programs and agencies under Section ~~{35-12-15}~~ 36-12-15 .

Renumber remaining sections accordingly.

Sen. Niederhauser introduced and explained the bill as amended.

Mr. Underwood, Ms. Evans and Mr. Rasmussen spoke in favor of the bill.

**MOTION:** Sen Jenkins moved to pass **SJR 005** out of committee with a favorable recommendation. The motion passed unanimously.

2. **SB0044** - State Commission Amendments

Sen. Dayton introduced and explained this bill.

Mr. Memmott, Mr. Prescott and Mr. Johnson spoke against the bill.

**MOTION:** Sen. Dayton moved to pass **SB 044** out of committee with a favorable recommendation. The motion passed with Sens. Dayton, Jenkins, and Thatcher voting in favor of the motion and Sens. Knudson and Robles voting against the motion.

3. **HB 0041** - State Capitol Preservation Board Fee Revisions

Rep. Hendrickson introduced and explained this bill.

**MOTION:** Sen. Robles moved to pass **HB 0041** out of committee with a favorable recommendation. The motion passed unanimously.

4. **HB 0030** - Election Official's Funds

Rep. Hendrickson introduced and explained this bill.

**MOTION:** Sen. Dayton moved to pass **HB 003** out of committee with a favorable recommendation. The motion passed unanimously.

**MOTION:** Sen. Jenkins moved to adjourn. The motion passed unanimously.

The meeting adjourned at 3:45 p.m.

Minutes reported by Lorna Wells, Secretary.

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Sen. Peter Knudson, Committee Chair