

# 1st Sub. S.B. 11

## WORKER CLASSIFICATION COORDINATED ENFORCEMENT

SENATE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 27, 2011 8:59 AM

Senator **Karen Mayne** proposes the following amendments:

1. *Page 1, Lines 18 through 20:*

- 18                   •     addressing the sharing of information; and  
19                   {→addresses closing of meetings; and}  
20                   ▶     makes technical and conforming amendments.

2. *Page 2, Lines 26 through 27:*

- 26    AMENDS:  
27                   {~~52-4-205, as last amended by Laws of Utah 2010, Chapters 35, 60, and 239~~}

3. *Page 3, Lines 85 through 86:*

- 85                   {~~(4) The council may close a meeting of the council in accordance with Title 52,~~  
86    ~~Chapter 4, Open and Public Meetings Act.~~}

4. *Page 5, Line 129 through Page 6, Line 179:*

- 129 {~~———— 52-4-205. Purposes of closed meetings.~~  
130 ~~———— (1) A closed meeting described under Section 52-4-204 may only be held for:~~  
131 ~~———— (a) discussion of the character, professional competence, or physical or mental health~~  
132 ~~of an individual;~~  
133 ~~———— (b) strategy sessions to discuss collective bargaining;~~  
134 ~~———— (c) strategy sessions to discuss pending or reasonably imminent litigation;~~  
135 ~~———— (d) strategy sessions to discuss the purchase, exchange, or lease of real property,~~  
136 ~~including any form of a water right or water shares, if public discussion of the transaction~~  
137 ~~would:~~  
138 ~~———— (i) disclose the appraisal or estimated value of the property under consideration; or~~  
139 ~~———— (ii) prevent the public body from completing the transaction on the best possible terms;~~  
140 ~~———— (e) strategy sessions to discuss the sale of real property, including any form of a water~~  
141 ~~right or water shares, if:~~  
142 ~~———— (i) public discussion of the transaction would:~~  
143 ~~———— (A) disclose the appraisal or estimated value of the property under consideration; or~~  
144 ~~———— (B) prevent the public body from completing the transaction on the best possible terms;~~  
145 ~~———— (ii) the public body previously gave public notice that the property would be offered for~~  
146 ~~sale; and~~

147 ~~—— (iii) the terms of the sale are publicly disclosed before the public body approves the~~  
148 ~~sale;~~  
149 ~~—— (f) discussion regarding deployment of security personnel, devices, or systems;~~  
150 ~~—— (g) investigative proceedings regarding allegations of criminal misconduct;~~  
151 ~~—— (h) as relates to the Independent Legislative Ethics Commission, conducting business~~  
152 ~~relating to the receipt or review of ethics complaints;~~  
153 ~~—— (i) as relates to an ethics committee of the Legislature, a purpose permitted under~~  
154 ~~Subsection 52-4-204(1)(a)(iii)(B);~~  
155 ~~—— (j) as relates to a county legislative body, discussing commercial information as~~  
156 ~~defined in Section 59-1-404; [or]~~  
157 ~~—— (k) as relates to the Worker Classification Coordinated Enforcement Council, created~~  
158 ~~in Section 34-47-201, discussing a specific civil, criminal, or administrative action or audit if~~  
159 ~~discussing the action or audit in an open meeting could reasonably be expected to:~~  
160 ~~—— (i) interfere with an investigation undertaken for purposes of enforcement, discipline,~~  
161 ~~licensing, certification, or registration;~~  
162 ~~—— (ii) interfere with an audit, disciplinary, or enforcement proceeding;~~  
163 ~~—— (iii) create a danger of depriving a person of a right to a fair trial or impartial hearing;~~  
164 ~~—— (iv) disclose the identity of a source who is not generally known outside of government~~  
165 ~~if disclosure would compromise the source; or~~  
166 ~~—— (v) disclose investigative or audit techniques, procedures, policies, or orders not~~  
167 ~~generally known outside of government if disclosure would interfere with enforcement or audit~~  
168 ~~efforts; or~~  
169 ~~—— [(k)] (1) a purpose for which a meeting is required to be closed under Subsection (2).~~  
170 ~~—— (2) The following meetings shall be closed:~~  
171 ~~—— (a) a meeting of the Health and Human Services Interim Committee to review a fatality~~  
172 ~~review report described in Subsection 62A-16-301(1)(a), and the responses to the report~~  
173 ~~described in Subsections 62A-16-301(2) and (4); and~~  
174 ~~—— (b) a meeting of the Child Welfare Legislative Oversight Panel to:~~  
175 ~~—— (i) review a fatality review report described in Subsection 62A-16-301(1)(a), and the~~  
176 ~~responses to the report described in Subsections 62A-16-301(2) and (4); or~~  
177 ~~—— (ii) review and discuss an individual case, as described in Subsection 62A-4a-207(5).~~  
178 ~~—— (3) A public body may not interview a person applying to fill an elected position in a~~  
179 ~~closed meeting. }~~

Renumber remaining subsections accordingly