

**LEGISLATIVE PER DIEM REVISION**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lyle W. Hillyard**

House Sponsor: Melvin R. Brown

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**LONG TITLE**

**General Description:**

This bill modifies Division of Finance provisions by amending compensation and expenses for a legislator who serves on a board or commission.

**Highlighted Provisions:**

This bill:

- ▶ clarifies that a legislator who serves on a board or commission only receives compensation and expenses as provided in Legislative Joint Rule and does not receive separate per diem and travel expenses for service on a board or commission;
- ▶ clarifies appointment of Senate and House members to certain boards or commissions; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**9-9-104.6**, as last amended by Laws of Utah 2012, Chapter 212

**26-54-103**, as enacted by Laws of Utah 2012, Chapter 226

**35A-1-206**, as last amended by Laws of Utah 2013, Chapter 255



- 28 [36-12-20](#), as last amended by Laws of Utah 2013, Chapter 288
- 29 [36-22-1](#), as enacted by Laws of Utah 1995, Chapter 143
- 30 [36-23-104](#), as last amended by Laws of Utah 2013, Chapter 323
- 31 [36-25-102](#), as enacted by Laws of Utah 2004, Chapter 73
- 32 [36-26-102](#), as last amended by Laws of Utah 2012, Chapter 325
- 33 [53A-1-1002](#), as last amended by Laws of Utah 2013, Chapter 214
- 34 [53A-13-109](#), as last amended by Laws of Utah 2011, Chapters 404 and 405
- 35 [59-1-905](#), as last amended by Laws of Utah 2011, Chapter 384
- 36 [62A-1-120](#), as enacted by Laws of Utah 2013, Chapter 339
- 37 [62A-4a-207](#), as last amended by Laws of Utah 2012, Chapter 242
- 38 [63A-3-106](#), as last amended by Laws of Utah 2011, Chapter 308
- 39 [63A-3-107](#), as last amended by Laws of Utah 2011, Chapter 308
- 40 [63A-3-403](#), as last amended by Laws of Utah 2013, Chapters 84 and 310
- 41 [63A-3-404](#), as last amended by Laws of Utah 2009, Chapter 310
- 42 [63C-4a-202](#), as renumbered and amended by Laws of Utah 2013, Chapter 101
- 43 [63C-4a-302](#), as enacted by Laws of Utah 2013, Chapter 101
- 44 [63C-6-103](#), as last amended by Laws of Utah 2010, Chapter 286
- 45 [63C-9-202](#), as last amended by Laws of Utah 2010, Chapter 286
- 46 [63C-9-702](#), as last amended by Laws of Utah 2010, Chapter 286
- 47 [63C-13-107](#), as enacted by Laws of Utah 2013, Chapter 228
- 48 [63C-14-202](#), as enacted by Laws of Utah 2013, Chapter 62
- 49 [63E-1-201](#), as last amended by Laws of Utah 2007, Chapter 5
- 50 [63F-1-202](#), as last amended by Laws of Utah 2013, Chapter 53
- 51 [63I-3-206](#), as repealed and reenacted by Laws of Utah 2010, Chapter 286
- 52 [63I-4a-202](#), as renumbered and amended by Laws of Utah 2013, Chapter 325
- 53 [63M-7-207](#), as repealed and reenacted by Laws of Utah 2010, Chapter 286
- 54 [63M-7-302](#), as last amended by Laws of Utah 2010, Chapters 39 and 286
- 55 [63M-7-405](#), as last amended by Laws of Utah 2010, Chapter 286
- 56 [63M-11-206](#), as repealed and reenacted by Laws of Utah 2010, Chapter 286
- 57 [67-1a-10](#), as last amended by Laws of Utah 2010, Chapter 286
- 58 [72-4-302](#), as last amended by Laws of Utah 2012, Chapter 212

59            [73-27-102](#), as last amended by Laws of Utah 2013, Chapter 232  
60            [78A-2-502](#), as last amended by Laws of Utah 2010, Chapter 286  
61            [78A-11-104](#), as repealed and reenacted by Laws of Utah 2010, Chapter 286

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

64            Section 1. Section [9-9-104.6](#) is amended to read:

65            **9-9-104.6. Participation of state agencies in meetings with tribal leaders --**  
66 **Contact information.**

67            (1) For at least three of the joint meetings described in Subsection [9-9-104.5\(2\)\(a\)](#), the  
68 division shall coordinate with representatives of tribal governments and the entities listed in  
69 Subsection (2) to provide for the broadest participation possible in the joint meetings.

70            (2) The following may participate in all meetings described in Subsection (1):

71            (a) the chairs of the Native American Legislative Liaison Committee created in Section  
72 [36-22-1](#);

73            (b) the governor or the governor's designee;

74            (c) (i) the American Indian-Alaskan Native Health Liaison appointed in accordance  
75 with Section [26-7-2.5](#); or

76            (ii) if the American Indian-Alaskan Native Health Liaison is not appointed, a  
77 representative of the Department of Health appointed by the executive director of the  
78 Department of Health; and

79            (d) a representative appointed by the chief administrative officer of the following:

80            (i) the Department of Human Services;

81            (ii) the Department of Natural Resources;

82            (iii) the Department of Workforce Services;

83            (iv) the Governor's Office of Economic Development;

84            (v) the State Office of Education; and

85            (vi) the State Board of Regents.

86            (3) (a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:

87            (i) designate the name of a contact person for that agency that can assist in coordinating  
88 the efforts of state and tribal governments in meeting the needs of the Native Americans  
89 residing in the state; and

90 (ii) notify the division:  
 91 (A) who is the designated contact person described in Subsection (3)(a)(i); and  
 92 (B) of any change in who is the designated contact person described in Subsection  
 93 (3)(a)(i).

94 (b) This Subsection (3) applies to:  
 95 (i) the Department of Agriculture and Food;  
 96 (ii) the Department of Heritage and Arts;  
 97 (iii) the Department of Corrections;  
 98 (iv) the Department of Environmental Quality;  
 99 (v) the Department of Public Safety;  
 100 (vi) the Department of Transportation;  
 101 (vii) the Office of the Attorney General;  
 102 (viii) the State Tax Commission; and  
 103 (ix) any agency described in Subsection (2)(c) or (d).

104 (c) At the request of the division, a contact person listed in Subsection (3)(b) may  
 105 participate in a meeting described in Subsection (1).

106 (4) (a) A participant under this section who is not a legislator may not receive  
 107 compensation or benefits for the participant's service, but may receive per diem and travel  
 108 expenses [~~in accordance with~~] as allowed in:

- 109 [(a)] (i) Section 63A-3-106;
- 110 [(b)] (ii) Section 63A-3-107; and
- 111 [(c)] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
 112 63A-3-106 and 63A-3-107.

113 (b) Compensation and expenses of a participant who is a legislator are governed by  
 114 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

115 Section 2. Section 26-54-103 is amended to read:

116 **26-54-103. Traumatic Spinal Cord and Brain Injury Rehabilitation Fund**  
 117 **Advisory Committee -- Creation -- Membership -- Terms -- Duties.**

118 (1) There is created a Traumatic Spinal Cord and Brain Injury Rehabilitation Fund  
 119 Advisory Committee.

120 (2) The advisory committee shall be composed of five members as follows:

121 (a) the executive director of the Utah Department of Health, or the executive director's  
122 designee;

123 (b) a survivor, or a family member of a survivor of a traumatic brain injury, appointed  
124 by the governor;

125 (c) a survivor, or a family member of a survivor of a traumatic spinal cord injury,  
126 appointed by the governor;

127 (d) a member of the House of Representatives appointed by the speaker of the House of  
128 Representatives; and

129 (e) a member of the Senate appointed by the president of the Senate.

130 (3) (a) The term of advisory committee members shall be four years. If a vacancy  
131 occurs in the committee membership for any reason, a replacement shall be appointed for the  
132 unexpired term in the same manner as the original appointment.

133 (b) The committee shall elect a chairperson from the membership.

134 (c) A majority of the committee constitutes a quorum at any meeting, and, if a quorum  
135 is present at an open meeting, the action of the majority of members shall be the action of the  
136 advisory committee.

137 (d) The terms of the advisory committee shall be staggered so that members appointed  
138 under Subsections (2)(b) and (d) shall serve an initial two-year term and members appointed  
139 under Subsections (2)(c) and (e) shall serve four-year terms. Thereafter, members appointed to  
140 the advisory committee shall serve four-year terms.

141 (4) The advisory committee shall comply with the procedures and requirements of:

142 (a) Title 52, Chapter 4, Open and Public Meetings Act;

143 (b) Title 63G, Chapter 2, Government Records Access and Management Act; and

144 (c) Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

145 (5) (a) A member who is not a legislator may not receive compensation or benefits for  
146 the member's service, but, at the executive director's discretion, may receive per diem and  
147 travel expenses [~~in accordance with~~] as allowed in:

148 [~~(a)~~] (i) Section 63A-3-106;

149 [~~(b)~~] (ii) Section 63A-3-107; and

150 [~~(c)~~] (iii) rules adopted by the Division of Finance [~~pursuant~~] according to Sections  
151 63A-3-106 and 63A-3-107.

152 (b) Compensation and expenses of a member who is a legislator are governed by  
153 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

154 (6) The advisory committee shall:

155 (a) adopt rules and procedures in accordance with Title 63G, Chapter 3, Utah  
156 Administrative Rulemaking Act, that establish priorities and criteria for the advisory committee  
157 to follow in recommending distribution of money from the fund to assist qualified IRC  
158 501(c)(3) charitable clinics;

159 (b) identify, evaluate, and review the quality of care available to people with traumatic  
160 spinal cord and brain injuries through qualified IRC 501(c)(3) charitable clinics;

161 (c) explore, evaluate, and review other possible funding sources and make a  
162 recommendation to the Legislature regarding sources that would provide adequate funding for  
163 the advisory committee to accomplish its responsibilities under this section; and

164 (d) submit an annual report, not later than November 30 of each year, summarizing the  
165 activities of the advisory committee and making recommendations regarding the ongoing needs  
166 of people with spinal cord or brain injuries to:

167 (i) the governor;

168 (ii) the Health and Human Services Interim Committee; and

169 (iii) the Health and Human Services Appropriations Subcommittee.

170 Section 3. Section 35A-1-206 is amended to read:

171 **35A-1-206. State Council on Workforce Services -- Appointment -- Membership**

172 **-- Terms of members -- Compensation.**

173 (1) There is created a State Council on Workforce Services that shall:

174 (a) perform the activities described in Subsection (8);

175 (b) advise on issues requested by the department and the Legislature; and

176 (c) make recommendations to the department regarding:

177 (i) the implementation of Chapters 2, Economic Service Areas, 3, Employment  
178 Support Act, and 5, Training and Workforce Improvement Act; and

179 (ii) the coordination of apprenticeship training.

180 (2) (a) The council shall consist of the following voting members:

181 (i) a private sector representative from each economic service area as designated by the  
182 economic service area director;

- 183 (ii) the superintendent of public instruction or the superintendent's designee;
- 184 (iii) the commissioner of higher education or the commissioner's designee; and
- 185 (iv) the following members appointed by the governor in consultation with the
- 186 executive director:
  - 187 (A) four representatives of small employers as defined by rule by the department;
  - 188 (B) four representatives of large employers as defined by rule by the department;
  - 189 (C) four representatives of employees or employee organizations, including at least one
  - 190 representative from nominees suggested by public employees organizations;
  - 191 (D) two representatives of the clients served under this title including
  - 192 community-based organizations;
  - 193 (E) a representative of veterans in the state;
  - 194 (F) the executive director of the Utah State Office of Rehabilitation; and
  - 195 (G) the Applied Technology College president.
- 196 (b) The following shall serve as nonvoting ex officio members of the council:
  - 197 (i) the executive director or the executive director's designee;
  - 198 (ii) a legislator appointed by the governor from nominations of the speaker of the
  - 199 House of Representatives and president of the Senate;
  - 200 (iii) the executive director of the Department of Human Services;
  - 201 (iv) the director of the Governor's Office of Economic Development or the director's
  - 202 designee; and
  - 203 (v) the executive director of the Department of Health.
- 204 (3) (a) The governor shall appoint one nongovernmental member from the council as
- 205 the chair of the council.
- 206 (b) The chair shall serve at the pleasure of the governor.
- 207 (4) (a) A member appointed by the governor shall serve a term of four years and may
- 208 be reappointed to one additional term.
- 209 (b) A member shall continue to serve until the member's successor has been appointed
- 210 and qualified.
- 211 (c) Except as provided in Subsection (4)(d), as terms of council members expire, the
- 212 governor shall appoint each new member or reappointed member to a four-year term.
- 213 (d) Notwithstanding the requirements of Subsection (4)(c), the governor shall, at the

214 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
215 council members are staggered so that approximately one half of the council is appointed every  
216 two years.

217 (e) When a vacancy occurs in the membership for any reason, the replacement shall be  
218 appointed for the unexpired term.

219 (5) A majority of the voting members constitutes a quorum for the transaction of  
220 business.

221 (6) (a) A member who is not a legislator may not receive compensation or benefits for  
222 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
223 allowed in:

224 [~~(a)~~] (i) Section [63A-3-106](#);

225 [~~(b)~~] (ii) Section [63A-3-107](#); and

226 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
227 [63A-3-106](#) and [63A-3-107](#).

228 (b) Compensation and expenses of a member who is a legislator are governed by  
229 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

230 (7) The department shall provide staff and administrative support to the council at the  
231 direction of the executive director.

232 (8) The council shall:

233 (a) develop a state workforce services plan in accordance with Section [35A-1-207](#);

234 (b) review economic service area plans to certify consistency with state policy  
235 guidelines;

236 (c) improve the understanding and visibility of state workforce services efforts through  
237 external and internal marketing strategies;

238 (d) submit, before November 1, an annual written report to the governor and the  
239 Legislature on accomplishments related to the activities of the department;

240 (e) issue other studies, reports, or documents the council considers advisable that are  
241 not required under Subsection (8)(d);

242 (f) coordinate the planning and delivery of workforce development services with public  
243 education, higher education, vocational rehabilitation, and human services; and

244 (g) perform other responsibilities within the scope of workforce services as requested



245 by:

- 246 (i) the Legislature;
- 247 (ii) the governor; or
- 248 (iii) the executive director.

249 Section 4. Section **36-12-20** is amended to read:

250 **36-12-20. Development of proposed energy producer states' agreement --**  
251 **Membership selection -- Agreements -- Goals -- Meetings -- Reports.**

252 (1) The speaker of the House shall appoint two members of the House and the  
253 president of the Senate shall appoint two members of the Senate, of which no more than three  
254 of the four members shall be from the same political party, to study and work with legislative  
255 members of other energy producing states for the purpose of developing a proposed energy  
256 producer states' agreement.

257 (2) The proposed energy producer states' agreement shall have the following goals:

- 258 (a) to encourage domestic development of energy in the United States;
- 259 (b) to ensure the continued development of each state's domestic natural resources;
- 260 (c) to deliver a unified message to the federal government from energy producing states

261 by:

- 262 (i) participating in the development of proposed federal legislation and regulations; and
- 263 (ii) making recommendations regarding existing federal law and regulations including  
264 the following:

- 265 (A) the Environmental Protection Act;
- 266 (B) the Endangered Species Act; and
- 267 (C) federal land access issues that affect the production of energy;
- 268 (d) to eliminate or reduce overly broad federal legislation; and
- 269 (e) to identify and address consequences of delays and cancellations of economically  
270 viable energy projects.

271 (3) Appointed members shall:

- 272 (a) produce a report with recommendations regarding an energy producer states'  
273 agreement; and
- 274 (b) present the report to the Natural Resources, Agriculture, and Environment Interim  
275 Committee on or before November 30 of each year.

276 ~~[(4) Salaries and expenses of the appointed members may be paid in accordance with~~  
277 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Expense and Mileage~~  
278 ~~Reimbursement for Authorized Legislative Meetings, Special Sessions, and Veto Override~~  
279 ~~Sessions.]~~

280 (4) Compensation and expenses of a member who is a legislator are governed by  
281 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

282 (5) The Office of Legislative Research and General Counsel shall provide staff  
283 assistance as requested.

284 Section 5. Section 36-22-1 is amended to read:

285 **36-22-1. Native American Legislative Liaison Committee -- Creation --**  
286 **Membership -- Chairs -- Salaries and expenses.**

287 (1) There is created the Native American Legislative Liaison Committee.

288 (2) The committee shall consist of 11 members:

289 (a) seven members from the House of Representatives appointed by the speaker, no  
290 more than four of whom shall be members of the same political party; and

291 (b) four members of the Senate appointed by the president, no more than two of whom  
292 shall be members of the same political party.

293 (3) The speaker of the House shall select one of the members from the House of  
294 Representatives to act as cochair of the committee.

295 (4) The president of the Senate shall select one of the members from the Senate to act  
296 as cochair of the committee.

297 ~~[(5) Salaries and expenses of the legislators shall be paid in accordance with Section~~  
298 ~~36-2-2 and Joint Rule 15.03.]~~

299 (5) Compensation and expenses of a member who is a legislator are governed by  
300 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

301 Section 6. Section 36-23-104 is amended to read:

302 **36-23-104. Committee meetings -- Compensation -- Quorum -- Legislative rules.**

303 (1) The committee shall meet at least twice before November 1 of each year, at the call  
304 of the committee chairs, to carry out the duties described in this chapter.

305 (2) (a) A [public] member who is not a legislator may not receive compensation or  
306 benefits for the member's service, but may receive per diem and travel expenses ~~[in accordance~~

307 with] as allowed in:

308 ~~[(a)]~~ (i) Section 63A-3-106;

309 ~~[(b)]~~ (ii) Section 63A-3-107; and

310 ~~[(c)]~~ (iii) rules made by the Division of Finance ~~[pursuant]~~ according to Sections  
311 63A-3-106 and 63A-3-107.

312 (b) Compensation and expenses of a member who is a legislator are governed by  
313 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

314 (3) (a) Five members of the committee constitute a quorum.

315 (b) If a quorum is present, the action of a majority of members present is the action of  
316 the committee.

317 (4) Except as provided in Subsection (3), in conducting all its business, the committee  
318 shall comply with the rules of legislative interim committees regarding motions.

319 Section 7. Section 36-25-102 is amended to read:

320 **36-25-102. Rural Development Legislative Liaison Committee -- Creation --**

321 **Membership -- Chairs -- Salary -- Expenses.**

322 (1) There is created the Rural Development Legislative Liaison Committee composed  
323 of 11 members as follows:

324 (a) four members of the Senate appointed by the president of the Senate, no more than  
325 two of whom shall be from the same political party; and

326 (b) seven members from the House of Representatives appointed by the speaker of the  
327 House of Representatives, no more than four of whom shall be from the same political party.

328 (2) Senators and representatives from nonrural legislative districts may be considered  
329 for membership on the committee.

330 (3) (a) The president of the Senate shall designate a member of the Senate appointed  
331 under Subsection (1)(a) as a cochair.

332 (b) The speaker of the House of Representatives shall designate a member of the House  
333 of Representatives appointed under Subsection (1)(b) as a cochair of the committee.

334 ~~[(4) Salaries and expenses of the members of the committee shall be paid in~~  
335 ~~accordance with Section 36-2-2 and Joint Rule 15.03.]~~

336 (4) Compensation and expenses of a member who is a legislator are governed by  
337 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

338 Section 8. Section **36-26-102** is amended to read:

339 **36-26-102. Utah International Relations and Trade Commission -- Creation --**  
340 **Membership -- Chairs -- Per diem and expenses.**

341 (1) There is created the Utah International Relations and Trade Commission.

342 (2) The commission membership consists of 13 members:

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

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

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

348 (b) four nonvoting members to be appointed by the governor, including at least:

349 (i) one representative from a Utah industry involved in international trade;

350 (ii) one expert in international finance; and

351 (iii) one expert in higher education with international experience; and

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

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

355 (b) Notwithstanding the requirement of Subsection (3)(a), the governor shall, at the  
356 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
357 these members are staggered so that approximately half of the members are appointed or  
358 reappointed under Subsection (3)(c) every two years.

359 (c) When a vacancy occurs among members appointed by the governor, the  
360 replacement shall be appointed for the unexpired term.

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

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

364 (b) The president of the Senate shall designate a member of the Senate appointed under  
365 Subsection (2)(a) as a cochair of the commission.

366 (6) (a) A member who is not a legislator may not receive compensation or benefits for  
367 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
368 allowed in:

369           ~~[(a)]~~ (i) Section 63A-3-106;  
370           ~~[(b)]~~ (ii) Section 63A-3-107; and  
371           ~~[(c)]~~ (iii) rules made by the Division of Finance ~~[pursuant]~~ according to Sections  
372 63A-3-106 and 63A-3-107.

373           (b) Compensation and expenses of a member who is a legislator are governed by  
374 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

375           Section 9. Section 53A-1-1002 is amended to read:

376           **53A-1-1002. Creation of State Council on Military Children.**

377           (1) There is established a State Council on Military Children, as required in Article  
378 VIII of Section 53A-1-1001.

379           (2) The members of the State Council on Military Children shall include:

380           (a) the state superintendent of public instruction;

381           (b) a superintendent of a school district with a high concentration of military children  
382 appointed by the governor;

383           (c) a representative from a military installation, appointed by the governor;

384           (d) one member of the House of Representatives, appointed by the speaker of the  
385 House;

386           (e) one member of the Senate, appointed by the president of the Senate;

387           (f) a representative from the Department of Veterans' and Military Affairs, appointed  
388 by the governor;

389           (g) a military family education liaison, appointed by the members listed in Subsections  
390 (2)(a) through (f);

391           (h) the compact commissioner, appointed in accordance with Section 53A-1-1003; and

392           (i) other members as determined by the governor.

393           (3) The State Council on Military Children shall carry out the duties established in  
394 Section 53A-1-1001.

395           ~~[(Members)]~~ (a) A member who is not a legislator may not receive compensation or  
396 per diem.

397           (b) Compensation and expenses of a member who is a legislator are governed by  
398 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

399           Section 10. Section 53A-13-109 is amended to read:

400           **53A-13-109. Civic and character education -- Definitions -- Legislative finding --**  
401 **Elements -- Reporting requirements.**

402           (1) As used in this section:

403           (a) "Character education" means reaffirming values and qualities of character which  
404 promote an upright and desirable citizenry.

405           (b) "Civic education" means the cultivation of informed, responsible participation in  
406 political life by competent citizens committed to the fundamental values and principles of  
407 representative democracy in Utah and the United States.

408           (c) "Values" means time-established principles or standards of worth.

409           (2) The Legislature recognizes that:

410           (a) Civic and character education are fundamental elements of the public education  
411 system's core mission as originally intended and established under Article X of the Utah  
412 Constitution;

413           (b) Civic and character education are fundamental elements of the constitutional  
414 responsibility of public education and shall be a continuing emphasis and focus in public  
415 schools;

416           (c) the cultivation of a continuing understanding and appreciation of a constitutional  
417 republic and principles of representative democracy in Utah and the United States among  
418 succeeding generations of educated and responsible citizens is important to the nation and  
419 state;

420           (d) the primary responsibility for the education of children within the state resides with  
421 their parents or guardians and that the role of state and local governments is to support and  
422 assist parents in fulfilling that responsibility;

423           (e) public schools fulfill a vital purpose in the preparation of succeeding generations of  
424 informed and responsible citizens who are deeply attached to essential democratic values and  
425 institutions; and

426           (f) the happiness and security of American society relies upon the public virtue of its  
427 citizens which requires a united commitment to a moral social order where self-interests are  
428 willingly subordinated to the greater common good.

429           (3) Through an integrated curriculum, students shall be taught in connection with  
430 regular school work:

431 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

432 (b) respect for and an understanding of the Declaration of Independence and the

433 constitutions of the United States and of the state of Utah;

434 (c) Utah history, including territorial and preterritorial development to the present;

435 (d) the essentials and benefits of the free enterprise system;

436 (e) respect for parents, home, and family;

437 (f) the dignity and necessity of honest labor; and

438 (g) other skills, habits, and qualities of character which will promote an upright and

439 desirable citizenry and better prepare students to recognize and accept responsibility for

440 preserving and defending the blessings of liberty inherited from prior generations and secured

441 by the constitution.

442 (4) Local school boards and school administrators may provide training, direction, and

443 encouragement, as needed, to accomplish the intent and requirements of this section and to

444 effectively emphasize civic and character education in the course of regular instruction in the

445 public schools.

446 (5) Civic and character education in public schools are:

447 (a) not intended to be separate programs in need of special funding or added specialists

448 to be accomplished; and

449 (b) core principles which reflect the shared values of the citizens of Utah and the

450 founding principles upon which representative democracy in the United States and the state of

451 Utah are based.

452 (6) To assist the Commission on Civic and Character Education in fulfilling the

453 commission's duties under Section [~~67-1a-10~~] [67-1a-11](#), by December 30 of each year, each

454 school district and the State Charter School Board shall submit to the lieutenant governor and

455 the commission a report summarizing how civic and character education are achieved in the

456 school district or charter schools through an integrated school curriculum and in the regular

457 course of school work as provided in this section.

458 (7) Each year, the State Board of Education shall report to the Education Interim

459 Committee, on or before the October meeting, the methods used, and the results being

460 achieved, to instruct and prepare students to become informed and responsible citizens through

461 an integrated curriculum taught in connection with regular school work as required in this

462 section.

463 Section 11. Section **59-1-905** is amended to read:

464 **59-1-905. Per diem and travel expenses.**

465 (1) A member who is not a legislator may not receive compensation or benefits for the  
466 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
467 allowed in:

468 [~~(1)~~] (a) Section [63A-3-106](#);

469 [~~(2)~~] (b) Section [63A-3-107](#); and

470 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections  
471 [63A-3-106](#) and [63A-3-107](#).

472 (2) Compensation and expenses of a member who is a legislator are governed by  
473 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

474 Section 12. Section **62A-1-120** is amended to read:

475 **62A-1-120. Utah Marriage Commission.**

476 (1) As used in this section, "commission" means the Utah Marriage Commission  
477 created by this section.

478 (2) There is created within the department the "Utah Marriage Commission."

479 (3) The commission shall consist of 17 members appointed as follows:

480 (a) two members of the Senate appointed by the president of the Senate;

481 (b) two members of the House of Representatives appointed by the speaker of the  
482 House of Representatives;

483 (c) six current or former representatives from marriage and family studies departments,  
484 social or behavioral sciences departments, health sciences departments, colleges of law, or  
485 other related and supporting departments at institutions of higher education in this state, as  
486 shall be appointed by the governor;

487 (d) five representatives selected and appointed by the governor from among the  
488 following groups:

489 (i) social workers who are or have been licensed under Title 58, Chapter 60, Part 2,  
490 Social Worker Licensing Act;

491 (ii) psychologists who are or have been licensed under Title 58, Chapter 61,  
492 Psychologist Licensing Act;



493 (iii) physicians who are or have been board certified in psychiatry and are or have been  
494 licensed under Title 58, Chapter 67, Utah Medical Practice Act;

495 (iv) marriage and family therapists who are or have been licensed under Title 58,  
496 Chapter 60, Part 3, Marriage and Family Therapist Licensing Act;

497 (v) representatives of faith communities;

498 (vi) public health professionals;

499 (vii) representatives of domestic violence prevention organizations; or

500 (viii) legal professionals; and

501 (e) two representatives of the general public appointed by the members of the  
502 commission appointed under Subsections (3)(a) through (d).

503 (4) (a) A member appointed under Subsections (3)(c) through (e) shall serve for a term  
504 of four years. A member may be appointed for subsequent terms.

505 (b) Notwithstanding Subsection (4)(a), the governor shall, at the time of appointment  
506 or reappointment, adjust the length of terms to ensure that the terms of commission members  
507 are staggered so that approximately half of the commission is appointed every two years.

508 (c) A commission member shall serve until a replacement is appointed and qualified.

509 (d) When a vacancy occurs in the membership for any reason, the replacement shall be  
510 appointed for the unexpired term in the same manner as the original appointment.

511 (5) (a) The commission shall annually elect a chair from its membership.

512 (b) The commission shall hold meetings as needed to carry out its duties. A meeting  
513 may be held on the call of the chair or a majority of the commission members.

514 (c) Nine commission members constitute a quorum and, if a quorum exists, the action  
515 of a majority of commission members present constitutes the action of the commission.

516 (6) (a) A commission member who is not a legislator may not receive compensation or  
517 benefits for the commission member's service, but may receive per diem and travel expenses  
518 [~~in accordance with~~] as allowed in:

519 [~~(a)~~] (i) Section 63A-3-106;

520 [~~(b)~~] (ii) Section 63A-3-107; and

521 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
522 63A-3-106 and 63A-3-107.

523 (b) Compensation and expenses of a commission member who is a legislator are

524 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
525 Expenses.

526 (7) The department shall staff the commission.

527 (8) The commission shall:

528 (a) promote coalitions and collaborative efforts to uphold and encourage a strong and  
529 healthy culture of strong and lasting marriages and stable families;

530 (b) contribute to greater awareness of the importance of marriage and leading to  
531 reduced divorce and unwed parenthood in the state;

532 (c) promote public policies that support marriage;

533 (d) promote programs and activities that educate individuals and couples on how to  
534 achieve strong, successful, and lasting marriages, including promoting and assisting in the  
535 offering of:

536 (i) events;

537 (ii) classes and services, including those designed to promote strong, healthy, and  
538 lasting marriages and prevent domestic violence;

539 (iii) marriage and relationship education conferences for the public and professionals;  
540 and

541 (iv) enrichment seminars;

542 (e) actively promote measures designed to maintain and strengthen marriage, family,  
543 and the relationships between husband and wife and parents and children; and

544 (f) support volunteerism and private financial contributions and grants in partnership  
545 with the commission and in support of the commission's purposes and activities for the benefit  
546 of the state as provided in this section.

547 (9) Funding for the commission shall be as approved by the Legislature through annual  
548 appropriations and the added funding sought by the commission from private contributions and  
549 grants that support the duties of the commission described in Subsection (8).

550 Section 13. Section **62A-4a-207** is amended to read:

551 **62A-4a-207. Legislative Oversight Panel -- Responsibilities.**

552 (1) (a) There is created the Child Welfare Legislative Oversight Panel composed of the  
553 following members:

554 (i) two members of the Senate, one from the majority party and one from the minority

555 party, appointed by the president of the Senate; and

556 (ii) three members of the House of Representatives, two from the majority party and  
557 one from the minority party, appointed by the speaker of the House of Representatives.

558 (b) Members of the panel shall serve for two-year terms, or until their successors are  
559 appointed.

560 (c) A vacancy exists whenever a member ceases to be a member of the Legislature, or  
561 when a member resigns from the panel. Vacancies shall be filled by the appointing authority,  
562 and the replacement shall fill the unexpired term.

563 (2) The president of the Senate shall designate one of the senators appointed to the  
564 panel under Subsection (1) as the Senate chair of the panel. The speaker of the House of  
565 Representatives shall designate one of the representatives appointed to the panel under  
566 Subsection (1) as the House chair of the panel.

567 (3) The panel shall follow the interim committee rules established by the Legislature.

568 (4) The panel shall:

569 (a) examine and observe the process and execution of laws governing the child welfare  
570 system by the executive branch and the judicial branch;

571 (b) upon request, receive testimony from the public, the juvenile court, and from all  
572 state agencies involved with the child welfare system, including the division, other offices and  
573 agencies within the department, the attorney general's office, the Office of Guardian Ad Litem,  
574 and school districts;

575 (c) before October 1 of each year, receive a report from the judicial branch identifying  
576 the cases not in compliance with the time limits established in the following sections, and the  
577 reasons for noncompliance:

578 (i) Subsection 78A-6-306(1)(a), regarding shelter hearings;

579 (ii) Section 78A-6-309, regarding pretrial and adjudication hearings;

580 (iii) Section 78A-6-312, regarding dispositional hearings and reunification services;

581 and

582 (iv) Section 78A-6-314, regarding permanency hearings and petitions for termination;

583 (d) receive recommendations from, and make recommendations to the governor, the  
584 Legislature, the attorney general, the division, the Office of Guardian Ad Litem, the juvenile  
585 court, and the public;

586 (e) (i) receive reports from the executive branch and the judicial branch on budgetary  
587 issues impacting the child welfare system; and

588 (ii) recommend, as the panel considers advisable, budgetary proposals to the Social  
589 Services Appropriations Subcommittee and the Executive Offices and Criminal Justice  
590 Appropriations Subcommittee, which recommendation should be made before December 1 of  
591 each year;

592 (f) study and recommend proposed changes to laws governing the child welfare  
593 system;

594 (g) study actions the state can take to preserve, unify, and strengthen the child's family  
595 ties whenever possible in the child's best interest, including recognizing the constitutional  
596 rights and claims of parents whenever those family ties are severed or infringed;

597 (h) perform such other duties related to the oversight of the child welfare system as the  
598 panel considers appropriate; and

599 (i) annually report the panel's findings and recommendations to the president of the  
600 Senate, the speaker of the House of Representatives, the Health and Human Services Interim  
601 Committee, and the Judiciary Interim Committee.

602 (5) (a) The panel has authority to review and discuss individual cases.

603 (b) When an individual case is discussed, the panel's meeting may be closed pursuant  
604 to Title 52, Chapter 4, Open and Public Meetings Act.

605 (c) When discussing an individual case, the panel shall make reasonable efforts to  
606 identify and consider the concerns of all parties to the case.

607 (6) (a) The panel has authority to make recommendations to the Legislature, the  
608 governor, the Board of Juvenile Court Judges, the division, and any other statutorily created  
609 entity related to the policies and procedures of the child welfare system. The panel does not  
610 have authority to make recommendations to the court, the division, or any other public or  
611 private entity regarding the disposition of any individual case.

612 (b) The panel may hold public hearings, as it considers advisable, in various locations  
613 within the state in order to afford all interested persons an opportunity to appear and present  
614 their views regarding the child welfare system in this state.

615 (7) (a) All records of the panel regarding individual cases shall be classified private,  
616 and may be disclosed only in accordance with federal law and the provisions of Title 63G,

617 Chapter 2, Government Records Access and Management Act.

618 (b) The panel shall have access to all of the division's records, including those  
619 regarding individual cases. In accordance with Title 63G, Chapter 2, Government Records  
620 Access and Management Act, all documents and information received by the panel shall  
621 maintain the same classification that was designated by the division.

622 (8) In order to accomplish its oversight functions, the panel has:

623 (a) all powers granted to legislative interim committees in Section 36-12-11; and

624 (b) legislative subpoena powers under Title 36, Chapter 14, Legislative Subpoena

625 Powers.

626 ~~[(9) Members of the panel shall receive salary and expenses in accordance with Section~~  
627 ~~36-2-2;]~~

628 (9) Compensation and expenses of a member of the panel who is a legislator are  
629 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
630 Expenses.

631 (10) (a) The Office of Legislative Research and General Counsel shall provide staff  
632 support to the panel.

633 (b) The panel is authorized to employ additional professional assistance and other staff  
634 members as it considers necessary and appropriate.

635 Section 14. Section 63A-3-106 is amended to read:

636 **63A-3-106. Per diem rates for board members.**

637 (1) As used in this section and Section 63A-3-107:

638 (a) "Board" means a board, commission, council, committee, task force, or similar  
639 body established to perform a governmental function.

640 (b) "Board member" means a person appointed or designated by statute to serve on a  
641 board.

642 (c) "Executive branch" means a department, division, agency, board, or office within  
643 the executive branch of state government.

644 (d) "Governmental entity" has the same meaning as provided under Section  
645 63G-2-103.

646 (e) "Higher education" means a state institution of higher education, as defined under  
647 Section 53B-1-102.

648 (f) "Officer" means a person who is elected or appointed to an office or position within  
649 a governmental entity.

650 (g) "Official meeting" means a meeting of a board that is called in accordance with  
651 statute.

652 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
653 subject to approval by the executive director, the director of the Division of Finance shall make  
654 rules establishing per diem rates to defray subsistence costs for a board member's attendance at  
655 an official meeting.

656 (3) Unless otherwise provided by statute, a per diem rate established under Subsection  
657 (2) is applicable to a board member who serves:

- 658 (a) within the executive branch, except as provided under Subsection (3)(b);
- 659 (b) within higher education, unless higher education pays the costs of the per diem;
- 660 (c) on a board that is:
  - 661 (i) not included under Subsection (3)(a) or (b); and
  - 662 (ii) created by a statute that adopts the per diem rates by reference to:
    - 663 (A) this section; and
    - 664 (B) the rule authorized by this section; and
- 665 (d) within a government entity that is not included under Subsection (3)(a), if the

666 government entity adopts the per diem rates by reference to:

- 667 (i) this section; or
- 668 (ii) the rule establishing the per diem rates.

669 (4) (a) Unless otherwise provided by statute, a board member who is not a legislator  
670 may receive per diem under this section and travel expenses under Section [63A-3-107](#) if the per  
671 diem and travel expenses are incurred by the board member for attendance at an official  
672 meeting.

673 (b) Notwithstanding Subsection (4)(a), a board member may not receive per diem or  
674 travel expenses under this Subsection (4) if the board member is being paid by a governmental  
675 entity while performing the board member's service on the board.

676 (5) A board member may decline to receive per diem for the board member's service.

677 (6) Compensation and expenses of a board member who is a legislator are governed by  
678 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

679 Section 15. Section **63A-3-107** is amended to read:

680 **63A-3-107. Travel expenses of board members and state officers and employees.**

681 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
682 subject to approval by the executive director, the director of the Division of Finance shall make  
683 rules governing in-state and out-of-state travel expenses.

684 (2) Unless otherwise provided by statute, a travel expense rule established under  
685 Subsection (1) is applicable to:

686 (a) a board member, an officer, or employee of the executive branch, except as  
687 provided under Subsection (2)(b);

688 (b) a board member, an officer, or employee of higher education, unless higher  
689 education pays the costs of the travel expenses;

690 (c) a board member who:

691 (i) is not included under Subsection (2)(a) or (b); and

692 (ii) serves on a board created by a statute that adopts the travel expense rates by  
693 reference to:

694 (A) this section; and

695 (B) the rule authorized by this section; and

696 (d) a government entity that is not included under Subsection (2)(a), if the government  
697 entity adopts the travel expense provisions by reference to:

698 (i) this section; or

699 (ii) the rule establishing the travel expense provisions.

700 (3) The Division of Finance shall make the travel expense rules on the basis of:

701 (a) a mileage allowance; and

702 (b) reimbursement for other travel expenses incurred.

703 (4) The travel expense rules may specify an exception to a travel expense rule or allow  
704 the director of the Division of Finance to make an exception to a travel expense rule, when  
705 justified by the executive director of the executive branch agency or department, to meet  
706 special circumstances encountered in official attendance at a conference, convention, meeting,  
707 or other official business, as determined by the director of the Division of Finance.

708 (5) An officer or employee of the executive branch may not incur obligations for travel  
709 outside the state without the advance approval of the executive director or a designee of the

710 executive director of an executive branch department or agency.

711 (6) A board member may decline to receive travel expenses for the board member's  
712 service.

713 (7) Compensation and expenses of a board member who is a legislator are governed by  
714 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

715 Section 16. Section 63A-3-403 is amended to read:

716 **63A-3-403. Utah Transparency Advisory Board -- Creation -- Membership --**  
717 **Duties.**

718 (1) There is created within the department the Utah Transparency Advisory Board  
719 comprised of members knowledgeable about public finance or providing public access to  
720 public information.

721 (2) The board consists of:

722 (a) an individual appointed by the director of the Division of Finance;

723 (b) an individual appointed by the executive director of the Governor's Office of  
724 Management and Budget;

725 (c) an individual appointed by the governor on advice from the Legislative Fiscal  
726 Analyst;

727 (d) one member of the Senate, appointed by the governor on advice from the president  
728 of the Senate;

729 (e) one member of the House of Representatives, appointed by the governor on advice  
730 from the speaker of the House of Representatives;

731 (f) an individual appointed by the director of the Department of Technology Services;

732 (g) the director of the Division of Archives created in Section 63A-12-101 or the  
733 director's designee;

734 (h) an individual who is a member of the State Records Committee created in Section  
735 63G-2-501, appointed by the governor;

736 (i) an individual representing counties, appointed by the governor;

737 (j) an individual representing municipalities, appointed by the governor; and

738 (k) two individuals who are members of the public and who have knowledge,  
739 expertise, or experience in matters relating to the board's duties under Subsection (10),

740 appointed by the board members identified in Subsections (2)(a) through (j).



- 741 (3) The board shall:
- 742 (a) advise the division on matters related to the implementation and administration of
- 743 this part;
- 744 (b) develop plans, make recommendations, and assist in implementing the provisions
- 745 of this part;
- 746 (c) determine what public financial information shall be provided by participating state
- 747 and local entities, if the public financial information:
- 748 (i) only includes records that:
- 749 (A) are classified as public under Title 63G, Chapter 2, Government Records Access
- 750 and Management Act;
- 751 (B) are an accounting of money, funds, accounts, bonds, loans, expenditures, or
- 752 revenues, regardless of the source; and
- 753 (C) are owned, held, or administered by the participating state or local entity that is
- 754 required to provide the record; and
- 755 (ii) is of the type or nature that should be accessible to the public via a website based
- 756 on considerations of:
- 757 (A) the cost effectiveness of providing the information;
- 758 (B) the value of providing the information to the public; and
- 759 (C) privacy and security considerations;
- 760 (d) evaluate the cost effectiveness of implementing specific information resources and
- 761 features on the website;
- 762 (e) establish size or budget thresholds to identify those local entities that qualify as
- 763 participating local entities as defined in this part, giving special consideration to the budget and
- 764 resource limitations of an entity with a current annual budget of less than \$10,000,000;
- 765 (f) require participating local entities to provide public financial information in
- 766 accordance with the requirements of this part, with a specified content, reporting frequency,
- 767 and form;
- 768 (g) require a participating local entity's website to be accessible by link or other direct
- 769 route from the Utah Public Finance Website if the participating local entity does not use the
- 770 Utah Public Finance Website; and
- 771 (h) determine the search methods and the search criteria that shall be made available to

772 the public as part of a website used by a participating local entity under the requirements of this  
773 part, which criteria may include:

- 774 (i) fiscal year;
- 775 (ii) expenditure type;
- 776 (iii) name of the agency;
- 777 (iv) payee;
- 778 (v) date; and
- 779 (vi) amount.

780 (4) The board shall annually elect a chair and a vice chair from its members.

781 (5) (a) Each member shall serve a two-year term.

782 (b) When a vacancy occurs in the membership for any reason, the replacement shall be  
783 appointed for the remainder of the unexpired term.

784 (6) To accomplish its duties, the board~~[(a) may meet as many as eight times during~~  
785 ~~2013; and (b) shall, after 2013;]~~ shall meet as it determines necessary.

786 (7) Reasonable notice shall be given to each member of the board before any meeting.

787 (8) A majority of the board constitutes a quorum for the transaction of business.

788 (9) (a) A member who is not a legislator may not receive compensation or benefits for  
789 the member's service, but may receive per diem and travel expenses ~~[in accordance with]~~ as  
790 allowed in:

791 ~~[(a)]~~ (i) Section [63A-3-106](#);

792 ~~[(b)]~~ (ii) Section [63A-3-107](#); and

793 ~~[(c)]~~ (iii) rules made by the Division of Finance ~~[pursuant]~~ according to Sections  
794 [63A-3-106](#) and [63A-3-107](#).

795 (b) Compensation and expenses of a member who is a legislator are governed by  
796 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

797 (10) (a) As used in this Subsection (10):

798 (i) "Information website" means a single Internet website containing public information  
799 or links to public information.

800 (ii) "Public information" means records of state or local government that are classified  
801 as public under Title 63G, Chapter 2, Government Records Access and Management Act.

802 (b) The board shall:

803 (i) study the establishment of an information website and develop recommendations for  
804 its establishment;

805 (ii) develop recommendations about how to make public information more readily  
806 available to the public through the information website;

807 (iii) develop standards to make uniform the format and accessibility of public  
808 information posted to the information website; and

809 (iv) ~~[no later than November 30, 2013,]~~ report the board's recommendations and  
810 standards developed under Subsections (10)(b)(i) through (iii) to the executive director and the  
811 Legislative Management Committee.

812 (c) In fulfilling its duties under Subsection (10)(b), the board shall be guided by  
813 principles that encourage:

814 (i) (A) the establishment of a standardized format of public information that makes the  
815 information more easily accessible by the public;

816 (B) the removal of restrictions on the reuse of public information;

817 (C) minimizing limitations on the disclosure of public information while appropriately  
818 safeguarding sensitive information; and

819 (D) balancing factors in favor of excluding public information from an information  
820 website against the public interest in having the information accessible on an information  
821 website;

822 (ii) (A) permanent, lasting, open access to public information; and

823 (B) the publication of bulk public information;

824 (iii) the implementation of well-designed public information systems that ensure data  
825 quality, create a public, comprehensive list or index of public information, and define a process  
826 for continuous publication of and updates to public information;

827 (iv) the identification of public information not currently made available online and the  
828 implementation of a process, including a timeline and benchmarks, for making that public  
829 information available online; and

830 (v) accountability on the part of those who create, maintain, manage, or store public  
831 information or post it to an information website.

832 (d) The department shall implement the board's recommendations, including the  
833 establishment of an information website, to the extent that implementation:

- 834 (i) is approved by the Legislative Management Committee;
- 835 (ii) does not require further legislative appropriation; and
- 836 (iii) is within the department's existing statutory authority.

837 Section 17. Section **63A-3-404** is amended to read:

838 **63A-3-404. Rulemaking authority.**

839 (1) After consultation with the board, and in accordance with Title 63G, Chapter 3,  
840 Utah Administrative Rulemaking Act, the Division of Finance shall make rules to:

841 (a) require participating state entities to provide public financial information for  
842 inclusion on the Utah Public Finance Website;

843 (b) define, either uniformly for all participating state entities, or on an entity by entity  
844 basis, the term "public financial information" using the standards provided in Subsection  
845 **63A-3-403**~~(2)~~(3)(c); and

846 (c) establish procedures for obtaining, submitting, reporting, storing, and providing  
847 public financial information on the Utah Public Finance Website, which may include a  
848 specified reporting frequency and form.

849 (2) After consultation with the board, and in accordance with Title 63G, Chapter 3,  
850 Utah Administrative Rulemaking Act, the Division of Finance may make rules to:

851 (a) require a participating state or local entity to list certain expenditures made by a  
852 person under a contract with the entity; and

853 (b) if a list is required under Subsection (2)(a), require the following information to be  
854 included:

855 (i) the name of the participating state or local entity making the expenditure;

856 (ii) the name of the person receiving the expenditure;

857 (iii) the date of the expenditure;

858 (iv) the amount of the expenditure;

859 (v) the purpose of the expenditure;

860 (vi) the name of each party to the contract;

861 (vii) an electronic copy of the contract; or

862 (viii) any other criteria designated by rule.

863 Section 18. Section **63C-4a-202** is amended to read:

864 **63C-4a-202. Creation of Constitutional Defense Council -- Membership --**

865 **Vacancies -- Meetings -- Staff -- Reports -- Per diem, travel expenses, and funding.**

866 (1) There is created the Constitutional Defense Council.

867 (2) (a) The council shall consist of the following members:

868 (i) the governor or the lieutenant governor, who shall serve as chair of the council;

869 (ii) the president of the Senate or the president of the Senate's designee who shall serve  
870 as vice chair of the council;871 (iii) the speaker of the House or the speaker of the House's designee who shall serve as  
872 vice chair of the council;

873 (iv) another member of the House, appointed by the speaker of the House;

874 (v) the minority leader of the Senate or the minority leader of the Senate's designee;

875 (vi) the minority leader of the House or the minority leader of the House's designee;

876 (vii) the attorney general or the attorney general's designee, who shall be one of the

877 attorney general's appointees, not a current career service employee;

878 (viii) the director of the School and Institutional Trust Lands Administration;

879 (ix) four elected county commissioners, county council members, or county executives

880 from different counties who are selected by the Utah Association of Counties, at least one of

881 whom shall be from a county of the first or second class;

882 (x) the executive director of the Department of Natural Resources, who may not vote;

883 (xi) the commissioner of the Department of Agriculture and Food, who may not vote;

884 (xii) the director of the Governor's Office of Economic Development, who may not

885 vote; and

886 (xiii) two elected county commissioners, county council members, or county

887 executives from different counties appointed by the Utah Association of Counties, who may

888 not vote.

889 (b) The council vice chairs shall conduct a council meeting in the absence of the chair.

890 (c) If both the governor and the lieutenant governor are absent from a meeting of the

891 council, the governor may designate a person to attend the meeting solely for the purpose of

892 casting a vote on any matter on the governor's behalf.

893 (3) When a vacancy occurs in the membership for any reason, the replacement shall be

894 appointed for the unexpired term in the same manner as the original appointment.

895 (4) (a) (i) Except as provided in Subsection (4)(a)(ii), the council shall meet at least

896 monthly or more frequently as needed.

897 (ii) The council need not meet monthly if the chair, after polling the members,  
898 determines that a majority of the members do not wish to meet.

899 (b) The governor or any six members of the council may call a meeting of the council.

900 (c) Before calling a meeting, the governor or council members shall solicit items for  
901 the agenda from other members of the council.

902 (d) (i) The council shall require that any entity, other than the commission, that  
903 receives money from the Constitutional Defense Restricted Account provide financial reports  
904 and litigation reports to the council.

905 (ii) Nothing in this Subsection (4)(d) prohibits the council from closing a meeting  
906 under Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the council from  
907 complying with Title 63G, Chapter 2, Government Records Access and Management Act.

908 (e) A majority of the voting membership on the council is required for a quorum to  
909 conduct council business. A majority vote of the quorum is required for any action taken by  
910 the council.

911 (5) (a) The Office of the Attorney General shall advise the council.

912 (b) The Public Lands Policy Coordinating Office shall provide staff assistance for  
913 meetings of the council.

914 (6) (a) A member of the council who is not a legislator may not receive compensation  
915 or benefits for the member's service, but may receive per diem and travel expenses ~~in~~  
916 ~~accordance with~~ as allowed in:

917 ~~(a)~~ (i) Section [63A-3-106](#);

918 ~~(b)~~ (ii) Section [63A-3-107](#); and

919 ~~(c)~~ (iii) rules made by the Division of Finance ~~pursuant~~ according to Sections  
920 [63A-3-106](#) and [63A-3-107](#).

921 (b) Compensation and expenses of a member of the council who is a legislator are  
922 governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and  
923 Expenses.

924 (7) Money appropriated for or received by the council may be expended by the  
925 governor in consultation with the council.

926 Section 19. Section [63C-4a-302](#) is amended to read:

927           **63C-4a-302. Creation of Commission on Federalism -- Membership meetings --**  
928 **Staff -- Expenses.**

929           (1) There is created the Commission on Federalism, comprised of the following seven  
930 members:

931           (a) the president of the Senate or the president of the Senate's designee who shall serve  
932 as cochair of the commission;

933           (b) another member of the Senate, appointed by the president of the Senate;

934           (c) the speaker of the House or the speaker of the House's designee who shall serve as  
935 cochair of the commission;

936           (d) two other members of the House, appointed by the speaker of the House;

937           (e) the minority leader of the Senate or the minority leader of the Senate's designee;

938 and

939           (f) the minority leader of the House or the minority leader of the House's designee.

940           (2) (a) A majority of the members of the commission constitute a quorum of the  
941 commission.

942           (b) Action by a majority of the members of a quorum constitutes action by the  
943 commission.

944           (3) The commission shall meet six times each year, unless additional meetings are  
945 approved by the Legislative Management Committee.

946           (4) The Office of Legislative Research and General Counsel shall provide staff support  
947 to the commission.

948           ~~[(5) Salary and expenses of a member of the commission shall be paid in accordance~~  
949 ~~with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Expense and Mileage~~  
950 ~~Reimbursement for Authorized Legislative Meetings, Special Sessions, and Veto Override~~  
951 ~~Sessions.]~~

952           (5) Compensation and expenses of a member of the commission who is a legislator are  
953 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
954 Expenses.

955           (6) Nothing in this section prohibits the commission from closing a meeting under  
956 Title 52, Chapter 4, Open and Public Meetings Act, or prohibits the commission from  
957 complying with Title 63G, Chapter 2, Government Records Access and Management Act.

958 Section 20. Section **63C-6-103** is amended to read:

959 **63C-6-103. Compensation of members -- Per diem and travel expenses.**

960 (1) A member who is not a legislator may not receive compensation or benefits for the  
961 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
962 allowed in:

963 [~~(1)~~] (a) Section **63A-3-106**;

964 [~~(2)~~] (b) Section **63A-3-107**; and

965 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections  
966 **63A-3-106** and **63A-3-107**.

967 (2) Compensation and expenses of a member who is a legislator are governed by  
968 Section **36-2-2** and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

969 Section 21. Section **63C-9-202** is amended to read:

970 **63C-9-202. Terms -- Vacancies -- Chair -- Vice chair -- Meetings --**  
971 **Compensation.**

972 (1) (a) The governor, president of the Senate, speaker of the House, chief justice, state  
973 treasurer, state attorney general, and state historic preservation officer shall serve terms  
974 coterminous with their office.

975 (b) The other members shall serve two-year terms.

976 (2) Vacancies in the appointed positions shall be filled by the original appointing  
977 authority for the unexpired term.

978 (3) (a) Except as provided in Subsection (3)(b), the governor is chair of the board.

979 (b) When the governor is absent from meetings of the board, the vice chair is chair of  
980 the board.

981 (c) The governor shall appoint a member of the board to serve as vice chair with the  
982 approval of a majority of the members of the board.

983 (4) The board shall meet at least quarterly and at other times at the call of the governor  
984 or at the request of four members of the board.

985 (5) (a) A member who is not a legislator may not receive compensation or benefits for  
986 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
987 allowed in:

988 [~~(a)~~] (i) Section **63A-3-106**;



989           ~~(b)~~ (ii) Section [63A-3-107](#); and  
990           ~~(c)~~ (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
991 [63A-3-106](#) and [63A-3-107](#).

992           (b) Compensation and expenses of a member who is a legislator are governed by  
993 Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.  
994           Section 22. Section [63C-9-702](#) is amended to read:

995           **63C-9-702. Art Placement Subcommittee to the State Capitol Preservation Board**  
996 **-- Created -- Membership -- Operations.**

997           (1) (a) There is created an Art Placement Subcommittee to the State Capitol  
998 Preservation Board composed of 11 members appointed as provided in this Subsection (1).

999           (b) (i) The governor shall appoint:

1000           (A) an architect, from a list of three architects submitted by the American Institute of  
1001 Architects;

1002           (B) an artist, from a list of three artists submitted by the Utah Arts Council Board of  
1003 Directors;

1004           (C) an historian, from a list of three historians submitted by the Board of State History;  
1005 and

1006           (D) a citizen to represent the public at large who is not a member of the State Capitol  
1007 Preservation Board.

1008           (ii) The governor, as chair of the board, with the concurrence of the board, shall  
1009 appoint a member of the board as a voting member of the subcommittee.

1010           (c) The president of the Senate shall appoint three members of the Senate, two from the  
1011 majority party and one from the minority party.

1012           (d) The speaker of the House of Representatives shall appoint three members of the  
1013 House, two from the majority party and one from the minority party.

1014           (2) (a) (i) (A) Subcommittee members appointed by the governor shall serve four-year  
1015 terms and may serve up to two consecutive terms.

1016           (B) The board member appointed by the governor under Subsection (1)(b)(ii) shall  
1017 serve a two-year term, and may be reappointed.

1018           (ii) Subcommittee members appointed by the president of the Senate and the speaker of  
1019 the House of Representatives shall serve two-year terms and may be reappointed.

1020 (b) In appointing members to the first subcommittee, the governor shall designate two  
1021 members to serve a two-year term and two members to serve four-year terms.

1022 (3) (a) Each subcommittee member shall hold office until his successor has been  
1023 appointed and qualified.

1024 (b) If a vacancy occurs in the subcommittee because of death, resignation, or otherwise,  
1025 the appointing authority shall appoint a successor, who shall hold office for the unexpired term.

1026 (c) Six voting members of the subcommittee are a quorum for the purpose of  
1027 organizing and conducting the business of the subcommittee.

1028 (d) The vote of a majority of members voting when a quorum is present is necessary  
1029 for the subcommittee to take action.

1030 (4) (a) At the initial meeting of the subcommittee, the subcommittee shall select one of  
1031 its number to serve as chair of the subcommittee.

1032 (b) The executive director of the board shall assist the subcommittee in their duties and  
1033 shall provide staff services to the subcommittee.

1034 (5) (a) A member who is not a legislator may not receive compensation or benefits for  
1035 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
1036 allowed in:

1037 [~~(a)~~] (i) Section 63A-3-106;

1038 [~~(b)~~] (ii) Section 63A-3-107; and

1039 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
1040 63A-3-106 and 63A-3-107.

1041 (b) Compensation and expenses of a member who is a legislator are governed by  
1042 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1043 (6) The subcommittee shall meet at least quarterly.

1044 Section 23. Section 63C-13-107 is amended to read:

1045 **63C-13-107. Compensation and expenses of authority members.**

1046 [~~(1) Salaries and expenses of authority members who are legislators shall be paid in~~  
1047 ~~accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Expense and~~  
1048 ~~Mileage Reimbursement for Authorized Legislative Meetings, Special Sessions, and Veto~~  
1049 ~~Override Sessions.]~~

1050 (1) Compensation and expenses of an authority member who is a legislator are

1051 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
 1052 Expenses.

1053 (2) An authority member who is not a legislator may not receive compensation or  
 1054 benefits for the member's service on the authority, but may receive per diem and  
 1055 reimbursement for travel expenses incurred as an authority member at the rates established by  
 1056 the Division of Finance under:

1057 (a) Sections 63A-3-106 and 63A-3-107; and

1058 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
 1059 63A-3-107.

1060 Section 24. Section 63C-14-202 is amended to read:

1061 **63C-14-202. Terms of commission members -- Removal -- Vacancies -- Salaries**  
 1062 **and expenses.**

1063 (1) Subject to Subsections (3), (4), and (5), the term of commission members is two  
 1064 years.

1065 (2) A commission member may be reappointed to a successive term.

1066 (3) Beginning March 2015, the term of commission members shall be staggered so that  
 1067 the term of approximately half of the members expires every year.

1068 (4) A commission member may be removed from the commission by the person or  
 1069 persons who appointed the member.

1070 (5) Subject to Subsection (7), a commission member appointed under Subsection  
 1071 63C-14-201(2)(a) or (b) who leaves office as a legislator may not continue to serve as a  
 1072 commission member.

1073 (6) A vacancy in the commission shall be filled in the same manner as the appointment  
 1074 of the member whose departure from the commission creates the vacancy.

1075 (7) A commission member shall serve until a successor is duly appointed and qualified.

1076 ~~[(8)(a) Salaries and expenses of commission members who are legislators shall be paid~~  
 1077 ~~in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Expense and~~  
 1078 ~~Mileage Reimbursement for Authorized Legislative Meetings, Special Sessions, and Veto~~  
 1079 ~~Override Sessions.]~~

1080 ~~[(b)]~~ (8)(a) A commission member who is not a legislator may not receive  
 1081 compensation or benefits for the member's service on the commission, but may receive per

1082 diem and reimbursement for travel expenses incurred as a commission member [at the rates  
1083 established by the Division of Finance under Sections] as allowed in:

1084 (i) Section 63A-3-106 [~~and~~];

1085 (ii) Section 63A-3-107; and

1086 (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections 63A-3-106  
1087 and 63A-3-107.

1088 (b) Compensation and expenses of a commission member who is a legislator are  
1089 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and  
1090 Expenses.

1091 Section 25. Section **63E-1-201** is amended to read:

1092 **63E-1-201. Retirement and Independent Entities Committee creation.**

1093 (1) There is created the Retirement and Independent Entities Committee composed of  
1094 15 legislators appointed as follows:

1095 (a) six senators, appointed by the president of the Senate, with at least two senators  
1096 from the minority party; and

1097 (b) nine representatives, appointed by the speaker of the House of Representatives,  
1098 with at least three representatives from the minority party.

1099 (2) (a) The president of the Senate shall designate one of the Senate appointees as a  
1100 cochair of the committee.

1101 (b) The speaker of the House of Representatives shall designate one of the House of  
1102 Representatives appointees as a cochair of the committee.

1103 (3) Committee members serve for two years, but may be reappointed by the speaker or  
1104 the president.

1105 (4) The committee shall meet at least twice each year, but may meet more frequently if  
1106 the chairs determine that additional meetings are needed.

1107 (5) In conducting all of its business, the committee shall comply with the rules of  
1108 legislative interim committees.

1109 (6) The Office of Legislative Research and General Counsel shall provide staff services  
1110 to the committee.

1111 [~~(7) Salaries and expenses of legislative committee members shall be paid in~~  
1112 ~~accordance with:]~~

1113 [~~(a) Section 36-2-2, and~~]

1114 [~~(b) Legislative Joint Rule 15.03.~~]

1115 (7) Compensation and expenses of a member who is a legislator are governed by

1116 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1117 Section 26. Section **63F-1-202** is amended to read:

1118 **63F-1-202. Technology Advisory Board -- Membership -- Duties.**

1119 (1) There is created the Technology Advisory Board to the chief information officer.

1120 The board shall have seven members as follows:

1121 (a) three members appointed by the governor who are individuals actively involved in  
1122 business planning for state agencies;

1123 (b) one member appointed by the governor who is actively involved in business  
1124 planning for higher education or public education;

1125 (c) one member appointed by the speaker of the House of Representatives and  
1126 president of the Senate from the Legislative Automation Committee of the Legislature to  
1127 represent the legislative branch;

1128 (d) one member appointed by the Judicial Council to represent the judicial branch; and

1129 (e) one member appointed by the governor who represents private sector business  
1130 needs in the state, but who is not an information technology vendor for the state.

1131 (2) (a) The members of the advisory board shall elect a chair from the board by  
1132 majority vote.

1133 (b) The department shall provide staff to the board.

1134 (c) (i) A majority of the members of the board constitutes a quorum.

1135 (ii) Action by a majority of a quorum of the board constitutes an action of the board.

1136 (3) The board shall meet as necessary to advise the chief information officer and assist  
1137 the chief information officer and executive branch agencies in coming to consensus on:

1138 (a) the development and implementation of the state's information technology strategic  
1139 plan;

1140 (b) critical information technology initiatives for the state;

1141 (c) the development of standards for state information architecture;

1142 (d) identification of the business and technical needs of state agencies;

1143 (e) the department's performance measures for service agreements with executive

1144 branch agencies and subscribers of services, including a process in which an executive branch  
 1145 agency may review the department's implementation of and compliance with an executive  
 1146 branch agency's data security requirements; and

1147 (f) the efficient and effective operation of the department.

1148 (4) (a) A member who is not a legislator may not receive compensation or benefits for  
 1149 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
 1150 allowed in:

1151 [~~(a)~~] (i) Section 63A-3-106;

1152 [~~(b)~~] (ii) Section 63A-3-107; and

1153 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
 1154 63A-3-106 and 63A-3-107.

1155 (b) Compensation and expenses of a member who is a legislator are governed by  
 1156 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1157 Section 27. Section 63I-3-206 is amended to read:

1158 **63I-3-206. Per diem and travel expenses of members.**

1159 (1) A member who is not a legislator may not receive compensation or benefits for the  
 1160 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
 1161 allowed in:

1162 [~~(1)~~] (a) Section 63A-3-106;

1163 [~~(2)~~] (b) Section 63A-3-107; and

1164 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections  
 1165 63A-3-106 and 63A-3-107.

1166 (2) Compensation and expenses of a member who is a legislator are governed by  
 1167 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1168 Section 28. Section 63I-4a-202 is amended to read:

1169 **63I-4a-202. Free Market Protection and Privatization Board -- Created --**  
 1170 **Membership -- Operations -- Expenses.**

1171 (1) (a) There is created a Free Market Protection and Privatization [~~Policy~~] Board  
 1172 composed of 17 members.

1173 (b) The governor shall appoint board members as follows:

1174 (i) two senators, one each from the majority and minority political parties, from names

1175 recommended by the president of the Senate;

1176 (ii) two representatives, one each from the majority and minority political parties, from  
1177 names recommended by the speaker of the House of Representatives;

1178 (iii) two members representing public employees, from names recommended by the  
1179 largest public employees' association;

1180 (iv) one member from state management;

1181 (v) seven members from the private business community;

1182 (vi) one member representing the Utah League of Cities and Towns from names  
1183 recommended by the Utah League of Cities and Towns;

1184 (vii) one member representing the Utah Association of Counties from names  
1185 recommended by the Utah Association of Counties; and

1186 (viii) one member representing the Utah Association of Special Districts, from names  
1187 recommended by the Utah Association of Special Districts.

1188 (2) (a) Except as provided in Subsection (2)(b), a board member shall serve a two-year  
1189 term.

1190 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the  
1191 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
1192 board members are staggered so that approximately half of the board is appointed every two  
1193 years.

1194 (3) (a) A board member shall hold office until the board member's successor is  
1195 appointed and qualified.

1196 (b) When a vacancy occurs in the membership for any reason, a replacement shall be  
1197 appointed for the unexpired term.

1198 (c) Nine members of the board constitute a quorum.

1199 (d) The vote of a majority of board members voting when a quorum is present is  
1200 necessary for the board to act.

1201 (4) (a) The board shall select one of the members to serve as chair of the board.

1202 (b) A chair shall serve as chair for a term of one-year, and may be selected as chair for  
1203 more than one term.

1204 (5) The Governor's Office of Management and Budget shall staff the board. The board  
1205 may contract for additional staff from the private sector under Section [631-4a-204](#).

- 1206 (6) The board shall meet:
- 1207 (a) at least quarterly; and
- 1208 (b) as necessary to conduct its business, as called by the chair.
- 1209 (7) (a) A member who is not a legislator may not receive compensation or benefits for
- 1210 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as
- 1211 allowed in:
- 1212 [~~(a)~~] (i) Section 63A-3-106;
- 1213 [~~(b)~~] (ii) Section 63A-3-107; and
- 1214 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections
- 1215 63A-3-106 and 63A-3-107.
- 1216 (b) Compensation and expenses of a member who is a legislator are governed by
- 1217 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 1218 Section 29. Section **63M-7-207** is amended to read:
- 1219 **63M-7-207. Members serve without pay -- Reimbursement for expenses.**
- 1220 (1) A member who is not a legislator may not receive compensation or benefits for the
- 1221 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as
- 1222 allowed in:
- 1223 [~~(1)~~] (a) Section 63A-3-106;
- 1224 [~~(2)~~] (b) Section 63A-3-107; and
- 1225 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections
- 1226 63A-3-106 and 63A-3-107.
- 1227 (2) Compensation and expenses of a member who is a legislator are governed by
- 1228 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 1229 Section 30. Section **63M-7-302** is amended to read:
- 1230 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**
- 1231 (1) The Utah Substance Abuse Advisory Council shall annually select one of its
- 1232 members to serve as chair and one of its members to serve as vice chair.
- 1233 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
- 1234 appointed for the unexpired term in the same manner as the position was originally filled.
- 1235 (3) A majority of the members of the council constitutes a quorum.
- 1236 (4) (a) A member who is not a legislator may not receive compensation or benefits for



1237 the member's service, but may receive per diem and travel expenses ~~[in accordance with]~~ as  
1238 allowed in:

1239 ~~[(a)]~~ (i) Section 63A-3-106;

1240 ~~[(b)]~~ (ii) Section 63A-3-107; and

1241 ~~[(c)]~~ (iii) rules made by the Division of Finance ~~[pursuant]~~ according to Sections  
1242 63A-3-106 and 63A-3-107.

1243 (b) Compensation and expenses of a member who is a legislator are governed by  
1244 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1245 (5) The council may establish committees as needed to assist in accomplishing its  
1246 duties under Section 63M-7-303.

1247 Section 31. Section 63M-7-405 is amended to read:

1248 **63M-7-405. Compensation of members -- Reports to the Legislature, the courts,**  
1249 **and the governor.**

1250 (1) (a) A member who is not a legislator may not receive compensation or benefits for  
1251 the member's service, but may receive per diem and travel expenses ~~[in accordance with]~~ as  
1252 allowed in:

1253 ~~[(a)]~~ (i) Section 63A-3-106;

1254 ~~[(b)]~~ (ii) Section 63A-3-107; and

1255 ~~[(c)]~~ (iii) rules made by the Division of Finance ~~[pursuant]~~ according to Sections  
1256 63A-3-106 and 63A-3-107.

1257 (b) Compensation and expenses of a member who is a legislator are governed by  
1258 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1259 (2) The commission shall submit to the Legislature, the courts, and to the governor at  
1260 least 60 days prior to the annual general session of the Legislature its reports and  
1261 recommendations for sentencing guidelines and amendments. It is intended that the  
1262 commission utilize existing data and resources from state criminal justice agencies. The  
1263 commission is authorized to employ professional assistance and other staff members as it  
1264 considers necessary or desirable.

1265 (3) The commission shall be responsive to all three branches of government, but be  
1266 part of the Commission on Criminal and Juvenile Justice for coordination on criminal and  
1267 juvenile justice issues, budget, and administrative support.

1268 Section 32. Section **63M-11-206** is amended to read:

1269 **63M-11-206. Members serve without pay -- Reimbursement for expenses.**

1270 (1) A member who is not a legislator may not receive compensation or benefits for the  
1271 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
1272 allowed in:

1273 [~~(1)~~] (a) Section **63A-3-106**;

1274 [~~(2)~~] (b) Section **63A-3-107**; and

1275 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections  
1276 **63A-3-106** and **63A-3-107**.

1277 (2) Compensation and expenses of a member who is a legislator are governed by  
1278 Section **36-2-2** and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1279 Section 33. Section **67-1a-10** is amended to read:

1280 **67-1a-10. Commission on Civic and Character Education -- Membership -- Chair**  
1281 **-- Expenses.**

1282 (1) There is created within the lieutenant governor's office the Commission on Civic  
1283 and Character Education.

1284 (2) The commission consists of seven members appointed as follows:

1285 (a) the lieutenant governor, as chief election officer of the state, or a designee;

1286 (b) one member of the House of Representatives, appointed by the speaker of the  
1287 House;

1288 (c) one member of the Senate, appointed by the president of the Senate;

1289 (d) one member of the State Board of Education, appointed by the chair;

1290 (e) one member of the State Board of Regents, appointed by the chair;

1291 (f) one member of the public with expertise in the area of civic and character education  
1292 appointed by the other members of the commission to serve for a two year term; and

1293 (g) one justice of the Supreme Court or one appellate court judge appointed by the  
1294 Supreme Court.

1295 (3) (a) The lieutenant governor shall serve as chairperson or if the lieutenant governor  
1296 is unable to serve, the commission shall annually elect a chairperson from its membership.

1297 (b) The commission shall hold meetings as needed to carry out its duties. A meeting  
1298 may be held on the call of the chair or a majority of the commission members.

1299 (c) Three commission members are necessary to constitute a quorum at any meeting  
 1300 and, if a quorum exists, the action of a majority of members present shall be the action of the  
 1301 commission.

1302 (4) (a) An appointed commission member shall be appointed for a two-year term or  
 1303 until their successors are appointed.

1304 (b) When a vacancy occurs in the appointed membership for any reason, the  
 1305 replacement shall be appointed for the unexpired term.

1306 (5) (a) A member who is not a legislator may not receive compensation or benefits for  
 1307 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
 1308 allowed in:

1309 [~~(a)~~] (i) Section 63A-3-106;

1310 [~~(b)~~] (ii) Section 63A-3-107; and

1311 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
 1312 63A-3-106 and 63A-3-107.

1313 (b) Compensation and expenses of a member who is a legislator are governed by  
 1314 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1315 (6) The duties of the lieutenant governor's office shall include leadership of the  
 1316 commission.

1317 (7) The funding of the commission shall be a separate line item to the lieutenant  
 1318 governor's office in the annual appropriations act.

1319 Section 34. Section 72-4-302 is amended to read:

1320 **72-4-302. Utah State Scenic Byway Committee -- Creation -- Membership --**  
 1321 **Meetings -- Expenses.**

1322 (1) There is created the Utah State Scenic Byway Committee.

1323 (2) (a) The committee shall consist of the following 15 members:

1324 (i) a representative from each of the following entities appointed by the governor:

1325 (A) the Governor's Office of Economic Development;

1326 (B) the Utah Department of Transportation;

1327 (C) the Department of Heritage and Arts;

1328 (D) the Division of State Parks and Recreation;

1329 (E) the Federal Highway Administration;

- 1330 (F) the National Park Service;
- 1331 (G) the National Forest Service; and
- 1332 (H) the Bureau of Land Management;
- 1333 (ii) one local government tourism representative appointed by the governor;
- 1334 (iii) a representative from the private business sector appointed by the governor;
- 1335 (iv) three local elected officials from a county, city, or town within the state appointed
- 1336 by the governor;
- 1337 (v) a member from the House of Representatives appointed by the speaker of the
- 1338 House of Representatives; and
- 1339 (vi) a member from the Senate appointed by the president of the Senate.
- 1340 (b) Except as provided in Subsection (2)(c), the members appointed in this Subsection
- 1341 (2) shall be appointed for a four-year term of office.
- 1342 (c) The governor shall, at the time of appointment or reappointment for appointments
- 1343 made under Subsection (2)(a)(i), (ii), (iii), or (iv) adjust the length of terms to ensure that the
- 1344 terms of committee members are staggered so that approximately half of the committee is
- 1345 appointed every two years.
- 1346 (d) (i) The appointments made under Subsections (2)(a)(v) and (vi) by the speaker of
- 1347 the House and the president of the Senate may not be from the same political party.
- 1348 (ii) The speaker of the House and the president of the Senate shall alternate the
- 1349 appointments made under Subsections (2)(a)(v) and (vi) as follows:
- 1350 (A) if the speaker appoints a member under Subsection (2)(a)(v), the next appointment
- 1351 made by the speaker following the expiration of the existing member's four-year term of office
- 1352 shall be from a different political party; and
- 1353 (B) if the president appoints a member under Subsection (2)(a)(vi), the next
- 1354 appointment made by the president following the expiration of the existing member's four-year
- 1355 term of office shall be from a different political party.
- 1356 (3) (a) The representative from the Governor's Office of Economic Development shall
- 1357 chair the committee.
- 1358 (b) The members appointed under Subsections (2)(a)(i)(E) through (H) serve as
- 1359 nonvoting, ex officio members of the committee.
- 1360 (4) The Governor's Office of Economic Development and the department shall provide

1361 staff support to the committee.

1362 (5) (a) The chair may call a meeting of the committee only with the concurrence of the  
1363 department.

1364 (b) A majority of the voting members of the committee constitute a quorum.

1365 (c) Action by a majority vote of a quorum of the committee constitutes action by the  
1366 committee.

1367 (6) (a) A member who is not a legislator may not receive compensation or benefits for  
1368 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
1369 allowed in:

1370 [~~(a)~~] (i) Section 63A-3-106;

1371 [~~(b)~~] (ii) Section 63A-3-107; and

1372 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
1373 63A-3-106 and 63A-3-107.

1374 (b) Compensation and expenses of a member who is a legislator are governed by  
1375 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1376 Section 35. Section **73-27-102** is amended to read:

1377 **73-27-102. State Water Development Commission created.**

1378 (1) The State Water Development Commission is created to determine the state's role  
1379 in the protection, conservation, and development of the state's water resources.

1380 (2) The commission membership shall include:

1381 (a) five members of the Senate, appointed by the president of the Senate, no more than  
1382 four of whom may be from the same political party;

1383 (b) eight members of the House of Representatives, appointed by the speaker of the  
1384 House of Representatives, no more than six of whom may be from the same political party; and

1385 (c) the following nonvoting members, appointed by the governor:

1386 (i) a representative of the Office of the Governor;

1387 (ii) a representative of the Green River District;

1388 (iii) a representative of the Upper Colorado River District;

1389 (iv) a representative of the Lower Colorado River District;

1390 (v) a representative of the Lower Sevier River District;

1391 (vi) a representative of the Upper Sevier River District;

- 1392 (vii) a representative of the Provo River District;
  - 1393 (viii) a representative of the Salt Lake District;
  - 1394 (ix) a representative of the Weber River District;
  - 1395 (x) a representative of the Bear River District;
  - 1396 (xi) the executive director of the Department of Natural Resources;
  - 1397 (xii) the executive director of the Department of Environmental Quality;
  - 1398 (xiii) the commissioner of agriculture and food;
  - 1399 (xiv) a member of the Board of Water Resources;
  - 1400 (xv) a representative of an organized environmental group; and
  - 1401 (xvi) a representative of agricultural production.
- 1402 (3) (a) Except as required by Subsection (3)(b), the members appointed by the governor  
1403 under Subsection (2)(c) shall be appointed or reappointed to a four-year term.
- 1404 (b) The governor shall, at the time of appointment or reappointment, adjust the length  
1405 of terms to ensure that the terms of board members are staggered so that approximately half of  
1406 the nonvoting members of the commission are appointed every two years.
- 1407 (c) When a vacancy occurs in the membership for any reason, the governor shall  
1408 appoint a replacement for the unexpired term.
- 1409 (4) The president of the Senate and the speaker of the House of Representatives shall,  
1410 to the extent possible, appoint members under Subsections (2)(a) and (b) that represent both  
1411 rural and urban areas of the state.
- 1412 (5) (a) The president of the Senate shall designate a member of the Senate appointed  
1413 under Subsection (2)(a) as a cochair of the commission.
- 1414 (b) The speaker of the House of Representatives shall designate a member of the House  
1415 of Representatives appointed under Subsection (2)(b) as a cochair of the commission.
- 1416 (6) Attendance by at least 50% of one legislative house and more than 50% of the other  
1417 legislative house constitutes a quorum.
- 1418 ~~[(7) (a) Salaries and expenses of the members of the commission shall be paid in~~  
1419 ~~accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Expense and~~  
1420 ~~Mileage Reimbursement for Authorized Legislative Meetings, Special Sessions, and Veto~~  
1421 ~~Override Sessions.]~~
- 1422 (7) (a) Compensation and expenses of a member of the commission who is a legislator

1423 are governed by Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative Compensation  
1424 and Expenses.

1425 (b) Commission members who are employees of the state shall receive no additional  
1426 compensation.

1427 (c) Other commission members shall receive no compensation or expenses for their  
1428 service on the commission.

1429 (8) The Office of Legislative Research and General Counsel shall provide staff support  
1430 to the commission.

1431 Section 36. Section **78A-2-502** is amended to read:

1432 **78A-2-502. Creation of policy board -- Membership -- Terms -- Chair -- Quorum**  
1433 **-- Expenses.**

1434 (1) There is created a 13 member policy board to be known as the "Online Court  
1435 Assistance Program Policy Board" which shall:

1436 (a) identify the subject matter included in the Online Court Assistance Program;

1437 (b) develop information and forms in conformity with the rules of procedure and  
1438 evidence; and

1439 (c) advise the Administrative Office of the Courts regarding the administration of the  
1440 program.

1441 (2) The voting membership shall consist of:

1442 (a) two members of the House of Representatives designated by the speaker, with one  
1443 member from each party;

1444 (b) two members of the Senate designated by the president, with one member from  
1445 each party;

1446 (c) two attorneys actively practicing in domestic relations designated by the Family  
1447 Law Section of the Utah State Bar;

1448 (d) one attorney actively practicing in civil litigation designated by the Civil Litigation  
1449 Section of the Utah State Bar;

1450 (e) one court commissioner designated by the chief justice of the Utah Supreme Court;

1451 (f) one district court judge designated by the chief justice of the Utah Supreme Court;

1452 (g) one attorney from Utah Legal Services designated by its director;

1453 (h) one attorney from Legal Aid designated by its director; and

1454 (i) two persons from the Administrative Office of the Courts designated by the state  
1455 court administrator.

1456 (3) (a) The terms of the members shall be four years and staggered so that  
1457 approximately half of the board expires every two years.

1458 (b) The board shall meet as needed.

1459 (4) The board shall select one of its members to serve as chair.

1460 (5) A majority of the members of the board constitutes a quorum.

1461 (6) (a) A member who is not a legislator may not receive compensation or benefits for  
1462 the member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
1463 allowed in:

1464 [~~(a)~~] (i) Section 63A-3-106;

1465 [~~(b)~~] (ii) Section 63A-3-107; and

1466 [~~(c)~~] (iii) rules made by the Division of Finance [~~pursuant~~] according to Sections  
1467 63A-3-106 and 63A-3-107.

1468 (b) Compensation and expenses of a member who is a legislator are governed by  
1469 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1470 Section 37. Section 78A-11-104 is amended to read:

1471 **78A-11-104. Expenses -- Per diem and travel.**

1472 (1) A member who is not a legislator may not receive compensation or benefits for the  
1473 member's service, but may receive per diem and travel expenses [~~in accordance with~~] as  
1474 allowed in:

1475 [~~(1)~~] (a) Section 63A-3-106;

1476 [~~(2)~~] (b) Section 63A-3-107; and

1477 [~~(3)~~] (c) rules made by the Division of Finance [~~pursuant~~] according to Sections  
1478 63A-3-106 and 63A-3-107.

1479 (2) Compensation and expenses of a member who is a legislator are governed by  
1480 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.



**Legislative Review Note**  
as of 2-10-14 6:13 AM

**Office of Legislative Research and General Counsel**