

**MINUTES OF THE  
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE  
Room 30, House Building  
March 6, 2015**

**Members Present:** Rep. Jack Draxler, Chair  
Rep. Brad Daw, Vice Chair  
Rep. Patrice Arent  
Rep. Rebecca Chavez-Houck  
Rep. Fred Cox  
Rep. Merrill Nelson  
Rep. Lee Perry  
Rep. Val Peterson

**Members Excused:** Rep. Keith Grover  
Rep. Dean Sanpei

**Staff Present:** Mr. Brian Bean, Policy Analyst  
Ms. Kathy Gessel, Committee Secretary

**Note:** A list of visitors and handouts are filed with committee minutes.

Chair Draxler called the meeting to order at 4:30 p.m.

**MOTION:** Rep. Perry moved to approve the minutes of the March 5, 2015, meeting. The motion passed unanimously with Rep. Arent, Rep. Chavez-Houck, Rep. Nelson, and Rep. Peterson absent for the vote.

**S.J.R. 14      Joint Resolution Supporting Creation of a GI Bill for the Utah National Guard (*Sen. K. Mayne*)**

Sen. Mayne explained the resolution.

**MOTION:** Rep. Daw moved to pass the resolution out favorably. The motion passed unanimously with Rep. Nelson and Rep. Peterson absent for the vote.

**MOTION:** Rep. Perry moved to place S.J.R. 14 on the Consent Calendar. The motion passed unanimously with Rep. Nelson and Rep. Peterson absent for the vote.

**3rd Sub. S.B. 137      Campaign and Financial Reporting Requirements Revisions (*Sen. T. Weiler*)**

Sen. Weiler explained the bill.

**MOTION:** Rep. Daw moved to amend the bill as follows:

1. *Page 5, Lines 136 through 138:*

136       (1) Except as provided in Subsection (5), a person may not send an email {5}  
          using the  
137       email of a public entity, for a political purpose or to advocate for or against a ballot  
138       proposition.

The motion passed unanimously with Rep. Peterson absent for the vote.

**MOTION:** Rep. Daw moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Peterson absent for the vote.

**H.B. 425       Financial Disclosure Modifications (*Rep. Brian S. King*)**

Rep. Brian King explained the bill.

**MOTION:** Rep. Daw moved to amend the bill as follows:

1. *Page 4, Line 106:*

106       (ii) the approximate date on which the regulated officeholder's employment  
          began;

2. *Page 4, Line 112:*

112       (iv) the approximate date on which the regulated officeholder became an owner  
          or officer for the

3. *Page 4, Line 120:*

120       (iii) the approximate date on which the regulated officeholder first received  
          income from the

4. *Page 5, Lines 137 through 138:*

137       (iv) the approximate date on which the regulated officeholder accepted a  
          position on the board of  
138       directors or a paid leadership capacity position;

The motion passed unanimously with Rep. Peterson absent for the vote.

**MOTION:** Rep. Daw moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Peterson absent for the vote.

**H.B. 444 Charter School Funding Task Force (Rep. F. Gibson)**

Rep. Gibson explained the bill.

Spoke for the bill: Royce Van Tassell, Executive Director, Utah Association of Public Charter Schools  
Chase Clyde, Utah Education Association

**MOTION:** Rep. Perry moved to pass the bill out favorably. The motion passed unanimously with Rep. Peterson absent for the vote.

**H.B. 387 Citizens' Customer Satisfaction Program (Rep. S. Eliason)**

Rep. Eliason explained the bill.

Spoke to the bill: Debbie Cragun, Executive Director, Department of Human Resource Management  
Salvadore Petilos, Director, Utah Deputy of Alcoholic Beverage Control  
John Valentine, Chair, Utah State Tax Commission

Spoke for the bill: Jackie deGaston, citizen

Spoke against the bill: Kory Holdaway, Utah Public Employees' Association

**MOTION:** Rep. Cox moved to amend the bill as follows:

1. Page 16, Line 480 through Page 17, Line 497:

480 public service entity.

481 {(2)(a) "Government entity" means a department, agency, division, office, authority,

482 library, unit, bureau, program, or other unit of the state.

483 —(b) "Government entity" includes the judicial branch of the state.

484 —(c) "Government entity" does not include a political subdivision or an entity of a

485 political subdivision of the state, a state institution of higher education, a school district, a

486 public school, or an independent corporation as defined in Section 63E-1-102.}

487 {(3) "Office," except as used in Subsection (2)(a);} (2) "Office" means  
the Office of the Utah State

488 Auditor.  
489 ~~{(4) "Program," except as used in Subsection (2)(a),}~~ (3)  
"Program" means the Citizens' Customer  
490 Satisfaction Program created in Section 67-3-203.  
491 ~~{(5)}~~ (4) "Public service entity" means ~~{a government entity;~~  
492 ~~(a) that receives public funds;~~  
493 ~~(b) that expends funds described in Subsection (5)(a); and~~  
494 ~~(c) with which an individual citizen may initiate contact to receive, for the~~  
individual  
495 or the individual's immediate family, a statutorily authorized benefit or  
service.} the Department of Alcoholic Beverage Control, created in Section  
32B-2-203, or the Motor Vehicle Division, created in Section 41-1a-106.  
496 ~~{(6)}~~ (5) "Interaction" means an individual act under the program to  
covertly observe a  
497 public service entity in a manner authorized by this part.

2. Page 17, Line 510 through Page 19, Line 572:

510 (b) identify any public service entity practices that are not in compliance with state  
law,  
511 rule, or policy, or generally accepted customer service practices.  
512 ~~{(2) Before July 1 of each year, the state auditor shall:~~  
513 ~~(a) create a list of all public service entities in the state; and~~  
514 ~~(b) from the list created under Subsection (2)(a), choose the public service~~  
entities that  
515 the auditor believes would benefit most from the program's assessment.}  
516 ~~{(3)}~~ (2) (a) Before January 1 of each year, the state auditor shall consult  
with the head of  
517 each public service entity ~~{chosen under Subsection (2)(b)}~~ to:  
518 (i) identify the services provided by the public service entity that are subject to the  
519 program's assessment;  
520 (ii) obtain performance measures for the services described in Subsection  
~~{(3)}~~ (2) (a)(i) that  
521 the program will measure, including a scoring system by which the state auditor will rate  
the  
522 public service entity's customer service; and  
523 (iii) obtain, from the head of the public service entity, goals for the public service

524 entity's customer service, using the performance measures obtained under Subsection  
525 ~~{(3)}~~ ~~(2)~~ (a)(ii).

526 (b) If the state auditor cannot obtain performance measures or goals from the head  
527 of a  
528 public service entity under Subsection ~~{(3)}~~ ~~(2)~~ (a), the state auditor shall notify  
529 the legislative  
530 committee that has oversight over the public service entity.

531 (c) In addition to the performance measures obtained under Subsection  
532 ~~{(3)}~~ ~~(2)~~ (a)(ii) for  
533 each public service entity, the state auditor shall establish a scoring system by which the  
534 state  
535 auditor shall rate the customer service of all public service entities ~~{chosen under~~  
536 ~~Subsection~~  
537 ~~(2)(b)}~~ .

538 ~~{(4)}~~ ~~(3)~~ For each calendar year, the state auditor shall, for each public  
539 service entity ~~{chosen~~  
540 ~~under Subsection (2)(b) in the previous year}~~ .

541 (a) create a plan, based upon the performance measures obtained in Subsection  
542 ~~{(3)}~~ ~~(2)~~ , to  
543 covertly observe and evaluate the public service entity's performance;

544 (b) collect detailed data on each interaction conducted under the program, including  
545 the  
546 name of each of the public service entity's employees who were contacted during the  
547 interaction; and

548 (c) score the public service entity according to the scoring system for each  
549 performance  
550 measure established under Subsection ~~{(3)}~~ ~~(2)~~ .

551 ~~{(5)}~~ ~~(4)~~ (a) To complete the duties described in this section, an individual  
552 engaging in an  
553 interaction may covertly observe the customer service offered by a public service entity:

554 (i) in person;  
555 (ii) by telephone; or  
556 (iii) through electronic communication.

557 (b) The state auditor may covertly record an interaction.  
558 (c) The state auditor may not covertly observe or record a direct interaction between

548 public service entity and another person unless that person is associated with the program  
549 or  
550 the Office of the Utah State Auditor.  
551 {(6)} (5) The state auditor may pay a stipend to a person that:  
552 (a) performs an interaction for the program; and  
553 (b) is not otherwise associated with the program.  
554 Section 14. Section 67-3-205 is enacted to read:  
555 67-3-205. Reporting and tracking results -- Online database.  
556 (1) The state auditor shall, for each public service entity the program interacts with  
557 under Subsection {67-3-103(4)} 67-3-204(3), prepare a detailed report each  
558 month that contains:  
559 (a) the name of the public service entity;  
560 (b) the performance measures and goals obtained under Subsection  
561 67-3-204 {(3)} (2) for the  
562 public service entity;  
563 (c) a summary of the plan created under Subsection 67-3-204 {(4)} (3) (a)  
564 for the entity;  
565 (d) a description of the program's efforts to execute the plan described in Subsection  
566 67-3-204 {(4)} (3) (a);  
567 (e) a compilation, analysis, and interpretation of the data collected under Subsection  
568 67-3-204 {(4)} (3) (c) and the scores recorded under Subsection  
569 67-3-204 {(4)} (3) (d);  
570 (f) an assessment of how the public service entity's performance relates to the  
571 performance measures and goals obtained under Subsection 67-3-204 {(3)} (2)  
572 for the entity;  
573 (g) a description of each interaction, including:  
574 (i) the name of each of the entity's employees who were contacted during the  
575 interaction; and  
576 (ii) the scores recorded under Subsection 67-3-204 {(4)} (3) (d) for the  
577 interaction;  
578 (h) an explanation of any observed patterns of the **public service** entity's  
579 practices that do not appear  
580 to be in compliance with state law, rule, or policy or with generally accepted customer  
581 service

3. Page 20, Lines 591 through 601:

- 591 (1) Upon receipt of a report under Subsection 67-3-205(2), the head of the public  
592 service entity shall:
- 593 (a) identify each employee described in Subsection  
~~{67-3-206}~~ 67-3-205 (1)(g)(i); and
- 594 (b) place a copy of the portions of the report that pertain to the employee in the  
595 employee's personnel file.
- 596 (2) (a) The head of a public service entity ~~{chosen under Subsection~~  
67-3-204(2)(b)} may
- 597 establish a pecuniary incentive to award to an employee of the entity:
- 598 (i) who has an interaction under the program; and
- 599 (ii) whose performance, as measured under the program, meets or exceeds the goals  
600 obtained under Subsection 67-3-204 ~~{(3)}~~ (2) (a)(iii) for the entity.
- 601 (b) The head of a public service entity that establishes a pecuniary incentive under

The motion passed unanimously.

**MOTION:** Rep. Cox moved to send the bill to the Rules Committee as amended. The motion passed unanimously.

**1st Sub. H.B. 376 Candidate Fundraising Amendments (Rep. D. McCay)**

Rep. McCay explained the bill. A handout, "States that Prohibit Campaign Contributions During Legislative Sessions," was distributed to the committee.

Spoke for the bill: Maryann Martindale, Alliance for a Better Utah

**MOTION:** Rep. Arent moved to pass the bill out favorably. The motion passed unanimously.

**MOTION:** Rep. Peterson moved to adjourn the meeting. The motion passed unanimously.

Chair Draxler adjourned the meeting at 6:08 p.m.