

1 **LEGISLATIVE ORGANIZATION AMENDMENTS**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: LaVar Christensen**

5 Senate Sponsor: Margaret Dayton

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to committees of the Legislature.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ modifies membership of the Audit Subcommittee of the Legislative Management

13 Committee; and

14 ▶ provides a method for breaking a tie vote of the Legislative Management

15 Committee.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **36-12-6**, as last amended by Laws of Utah 1987, Chapter 18

23 **36-12-8**, as last amended by Laws of Utah 2012, Chapter 137

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

26 Section 1. Section **36-12-6** is amended to read:

27 **36-12-6. Permanent committees -- House and Senate management -- Members --**
28 **Chair -- Legislative Management Committee -- Membership -- Chair and vice-chair --**
29 **Meetings -- Quorum.**

30 (1) There are hereby established as permanent committees of the Legislature a House
31 Management Committee and a Senate Management Committee. The House Management
32 Committee shall consist of eight members of the House of Representatives, four from each
33 major political party. The membership shall include the elected leadership of the House of
34 Representatives and additional members chosen at the beginning of each annual general
35 session by the minority party caucus as needed to complete the full membership. The
36 ~~[chairman]~~ chair of the committee shall be the speaker of the House of Representatives or ~~[his]~~
37 the speaker's designee. The Senate Management Committee shall consist of eight members of
38 the Senate, four from each major political party. The membership shall include the elected
39 leadership of the Senate and additional members chosen at the beginning of each annual
40 general session by the appropriate party caucus as needed to complete the full membership.
41 The ~~[chairman]~~ chair of the committee shall be the president of the Senate or ~~[his]~~ the
42 president's designee.

43 (2) (a) There is ~~[hereby]~~ established a permanent committee of the Legislature ~~[to be]~~
44 known as the Legislative Management Committee.

45 (b) The committee shall consist of:

46 (i) the ~~[membership]~~ members of the House Management Committee; and

47 (ii) the members of the Senate Management Committee ~~[meeting jointly]~~.

48 (c) (i) The president of the Senate or ~~[his]~~ the president's designee shall be ~~[chairman]~~
49 chair during 1987, and the speaker of the House of Representatives or ~~[his]~~ the speaker's
50 designee shall be ~~[vice-chairman]~~ vice-chair of the committee during that year.

51 (ii) The positions of ~~[chairman]~~ chair and ~~[vice-chairman]~~ vice-chair of the Legislative
52 Management Committee shall rotate annually between these two officers in succeeding years.

53 (d) The committee shall meet as often as is necessary to perform its duties, but not less
54 than once each quarter.

55 (e) If any vote of the committee results in a tie, the president of the Senate and speaker
56 of the House of Representatives may together cast an additional vote to break the tie.

57 (3) If a legislator declines membership on the committees established by this section,

58 or if a vacancy occurs, a replacement shall be chosen by the leadership of the appropriate party
 59 of the house in which the vacancy occurs.

60 (4) The committees established by this section shall meet not later than 60 days after
 61 the adjournment sine die of the annual general session held in even-numbered years and not
 62 later than 30 days after the adjournment sine die of the annual general session held in
 63 odd-numbered years for the purpose of effecting their organization and prescribing rules and
 64 policies pertaining to their respective powers and duties. A majority of the members of each
 65 committee constitutes a quorum, and a majority of a quorum has authority to act in any matter
 66 falling within the jurisdiction of the committee.

67 Section 2. Section **36-12-8** is amended to read:

68 **36-12-8. Legislative Management Committee -- Research and General Counsel**
 69 **Subcommittee -- Budget Subcommittee -- Audit Subcommittee -- Duties -- Members --**
 70 **Meetings.**

71 (1) There ~~[is]~~ are created within the Legislative Management Committee ~~[three~~
 72 ~~subcommittees having equal representation from each major political party. The~~
 73 ~~subcommittees, their membership, and their functions are as follows:]~~:

- 74 (a) the Research and General Counsel Subcommittee;
- 75 (b) the Budget Subcommittee; and
- 76 (c) the Audit Subcommittee.

77 (2) (a) The Research and General Counsel Subcommittee, comprising six members,
 78 shall recommend to the Legislative Management Committee a person or persons to hold the
 79 positions of director of the Office of Legislative Research and General Counsel and legislative
 80 general counsel.

81 (b) The Budget Subcommittee, comprising six members, shall recommend to the
 82 Legislative Management Committee a person to hold the position of legislative fiscal analyst.

83 (c) The Audit Subcommittee~~[, comprising four members,]~~ shall comprise:

- 84 (i) the president, majority leader, and minority leader of the Senate; and
- 85 (ii) the speaker, majority leader, and minority leader of the House of Representatives.

86 (d) The Audit Subcommittee shall:

87 (i) recommend to the Legislative Management Committee a person to hold the position
88 of legislative auditor general; and

89 (ii) (A) review all requests for audits;

90 (B) prioritize those requests;

91 (C) hear all audit reports and refer those reports to other legislative committees for
92 their further review and action as appropriate; and

93 (D) when notified by the legislative auditor general or state auditor that a subsequent
94 audit has found that an entity has not implemented a previous audit recommendation, refer the
95 audit report to an appropriate legislative committee and also ensure that an appropriate
96 legislative committee conducts a review of the entity that has not implemented the previous
97 audit recommendation.

98 [~~2~~] (3) The members of each subcommittee of the Legislative Management
99 Committee, other than the Audit Subcommittee, shall have equal representation from each
100 major political party and shall be appointed from the membership of the Legislative
101 Management Committee by an appointments committee comprised of the speaker and the
102 minority leader of the House of Representatives and the president and the minority leader of
103 the Senate.

104 [~~3~~] (4) Each subcommittee of the Legislative Management Committee:

105 (a) shall meet as often as necessary to perform its duties~~[-They]~~; and

106 (b) may meet during and between legislative sessions.