

HB0183S01 compared with HB0183

~~deleted text~~ shows text that was in HB0183 but was deleted in HB0183S01.

Inserted text shows text that was not in HB0183 but was inserted into HB0183S01.

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Representative Ken Ivory proposes the following substitute bill:

LEGISLATIVE CAPACITY STUDY

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires the Legislature to conduct a study on legislative capacity and the duties and responsibilities of state legislators.

Highlighted Provisions:

This bill:

- ▶ requires a request for proposals to conduct a study to;
 - assess and define the ~~workload,~~ fundamental duties ~~, and responsibilities~~ of state legislators and ~~the~~ their constitutional role, duties, and responsibilities;
 - assess the workload and capacity of ~~an individual legislator to fulfill those~~ legislators in their fundamental duties, including preparing, reviewing, and passing legislation; and
 - to provide recommendations in order to facilitate legislators to better perform

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their fundamental duties and responsibilities ~~{currently and}~~ within the legislative system;

▶ requires the study to analyze current information and also to provide analysis projected into the future, assuming a continued increase in the population of the state;

▶ ~~{provides that}~~ requires the Legislative Management Committee ~~{shall issue the request for proposals for conducting the study;~~

~~establishes criteria and requirements for the study;~~

~~establishes criteria and requirements for the request for proposals and qualifications for a person seeking}~~ to award a contract to an individual or entity to conduct the study; and

▶ requires the conclusions of the study to be presented to the ~~{Legislative Management Committee}~~ Legislature.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2019:

- ▶ to the Legislature - Legislative Services, as a one-time appropriation:
 - from the General Fund, One-time \$20,000.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

36-32-101, Utah Code Annotated 1953

36-32-103, Utah Code Annotated 1953

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

Section 1. Section **36-32-101** is enacted to read:

CHAPTER 32. LEGISLATIVE CAPACITY STUDY

36-32-101. Title.

This chapter is known as "Legislative Capacity Study."

Section 2. Section **36-32-103** is enacted to read:

36-32-103. Legislative Capacity Study -- Requirements -- Reporting -- Funding.

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(1) (a) The Legislature shall conduct a study to:

(i) assess and define the workload, fundamental duties, and responsibilities of state legislators and the capacity of an individual legislator to fulfill those duties, and responsibilities currently and projected into the future, assuming continued increase in the population of the state, which study shall include:

~~—— (i) a determination of the optimal number of bills, or the optimal range of number of bills, that an average legislator has the capacity and resources to successfully introduce and manage during an annual general session of the Legislature;~~

~~—— (ii) an analysis of Utah Constitution, which shall include an analysis of Article I, Section 27 of the Utah Constitution, which section provisions states "Frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government," and any other applicable provisions of the Utah Constitution, that relates the constitutional role, duties,":~~

(ii) assess the workload and capacity of the legislative system in supporting legislators in their fundamental duties, including preparing, reviewing, and passing legislation, and the capacities of legislative staff and legislators working within the system;

(iii) provide recommendations to the Legislature to facilitate legislators in the efficient and effective fulfillment of their fundamental duties and responsibilities of legislators;

~~—— (iii) findings and recommendations on what the fundamental role of a state legislator is and should be in the future based upon constitutional principles and the assumption of increased population growth in the future;~~

~~—— (iv) recommendations for changes or adjustments to the roles, duties, and responsibilities of legislators based upon the findings of the study, and recommendations on what changes have the highest priority for implementation; and~~

~~—— (v) within the legislative system, including both actions to undertake and actions to refrain from; and~~

(iv) any other requirements or findings approved by the Legislative Management Committee.

(b) The study shall set forth address and evaluate the items in Subsection (1)(a) as they exist currently, and also projected into the future, assuming a continued increase in the population of the state.

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(c) The study shall provide, in detail, the methods and data used to arrive at the findings ~~{described in Subsection (1)(a)}~~ and recommendations resulting from the study.

(2) (a) The Legislative Management Committee shall, in accordance with the requirements of Title 63G, Chapter 6a, Utah Procurement Code, issue a ~~{request for proposals to award a }~~contract to ~~{a person}~~ an entity or individual to conduct the study authorized under this section using standard procurement procedures and best value procurement.

(~~{b}~~3) The ~~{person}~~ entity or individual conducting the study shall:

~~{~~ (i) have experience in conducting performance analysis or time and motion studies;

~~——~~ (ii) survey legislators and legislative staff responsible for bill drafting in order to obtain data and information on which to base the findings of the study and to understand bill drafting procedures and requirements;

~~——~~ (iii) have the means and ability to obtain the information set forth in Section (3);

~~——~~ (iv) have experience in the analysis of constitutional law; and

~~——~~ (v) meet any other standards or requirements established by the Legislative Management Committee in the request for proposals.

~~——~~ (3) In reaching the determinations required under Subsection (1)(a), the person conducting the study shall collect and analyze information relating to the legislative process and the constitutional role of the Legislature, including current, past, and projected information on:

~~——~~ (a) the number of bills passed during each annual general legislative session;

~~——~~ (b) the number of constituents represented by an individual state representative and senator;

~~——~~ (c) the number of lobbyists involved in the legislative process;

~~——~~ (d) the size of the state budget;

~~——~~ (e) the annual executive branch budget, legislative branch budget, and judicial branch budget;

~~——~~ (f) the staff size of the executive branch, the legislative branch, and the judicial branch;
and

~~——~~ (g) any other information relevant to reaching the determinations required under Subsection (1)(a).

~~——~~ (4) The person conducting the study shall:

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- † (a) complete the study no later than November 1, 2019;
 - (b) present the findings of the study to the Legislative Management Committee ~~and the Government Operations Committee~~ no later than November 30, 2019; and
 - (c) provide to the ~~committee~~ ~~committees~~ written findings and a written analysis of the methods and data used in the survey as part of their verbal presentation.
- ~~(5)4~~ The total cost of conducting and presenting the study shall not exceed ~~\$20,000~~ the amount appropriated in the bill authorizing the study.

Section 3. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Legislature - Legislative Services

<u>From General Fund, One-time</u>	<u>\$20,000</u>
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Schedule of Programs:

<u>Administration</u>	<u>\$20,000</u>
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The Legislature intends that the amount provided by this item be used to conduct and present the study and opinion authorized under Title 36, Chapter 32, Legislative Capacity Study.

Section 4. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.