

**MINUTES OF THE
GOVERNMENT OPERATIONS INTERIM COMMITTEE**
Wednesday, October 17, 2007 – 9:00 a.m. – Room W025 House Building

Members Present:

Sen. Peter C. Knudson, Senate Chair
Rep. Glenn A. Donnelson, House Chair
Sen. Gregory S. Bell
Sen. Brent H. Goodfellow
Rep. Douglas C. Aagard
Rep. Ron Bigelow
Rep. DeMar Bud Bowman
Rep. Lorie D. Fowlke
Rep. Neil A. Hansen
Rep. Neal B. Hendrickson
Rep. Eric K. Hutchings

Rep. Curtis Oda
Rep. Larry B. Wiley

Members Absent:

Pres. John L. Valentine
Rep. Keith Grover

Staff Present:

Mr. Benjamin N. Christensen, Policy Analyst
Mr. Eric N. Weeks, Associate General Counsel
Ms. Chelsea Barrett, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Knudson called the meeting to order at 9:12 a.m.

MOTION: Rep. Bowman moved to approve the minutes of the September 19, 2007 meeting. The motion passed unanimously with Rep. Hansen absent for the vote.

2. Compensation of State Employees Studies

Mr. Christensen outlined and distributed a presentation entitled "2007 State Employee Compensation Briefing." The presentation included state employee statistics; namely, employee salary and compensation spending facts. He noted that there are 25,108 state employees; including, elected officials, board member employees, and legislative session employees. He added that 93.5 percent of employees work in the executive branch. The average state employee makes \$40,730 and has 9.3 years of service. Only 12.3 percent of state employees make more than \$60,000 per year. In Fiscal Year 2007, the state spent \$865.9 million on salaries and \$407.1 million on benefits for state employees. Health insurance premiums have doubled in the last eight years. The cost of employee compensation has been an average of 15.9 percent of the state original operating budget during the last 10 years.

Rep. Bigelow asked what funds were included in cost of the employee compensation figures.

Mr. Christensen responded that the figures were provided by the Division of Finance, and that he would check on the matter and report to Rep. Bigelow on his findings.

Mr. Jeff Herring, Director, Department of Human Resource Management, noted that compensation is more than numbers from a human resource perspective. He explained that compensation is a type of investment used to drive motivation and performance for state employees.

Mr. Herring introduced Ms. Debbie Price, Compensation and Benefits Director, Department of Human Resource Management.

Ms. Price distributed and presented "Employee Total Compensation." She outlined the salary survey results from the past year. The presentation included the 2007 benchmark comparability and average midpoint rankings for 96 job titles in the state. Ms. Price described current compensation values for state employees. She concluded by noting that although benefits are high for state employees it does not compensate for the lower salary. She outlined recommendations to the Committee, which included increase of discretionary funding and cost-of-living adjustments.

Mr. Herring reported that currently, the state is attracting younger professionals. He advised the Committee to look toward the future for better long-term planning for the state. Sen. Bell noted that the state budget cannot be influenced by current trends. The Committee discussed the tendency for state funds to be more conservative, as a result, making it harder to compete with other entities. Sen. Bell noted that the state has a tendency to protect its employees, compared to the private sector. Rep. Aagard requested additional information about recruiting issues and applicants for state jobs.

3. Access to Voter Registration Date of Birth Information (draft legislation)

The Committee discussed Section 63-2-301 of the Utah Code, which states that voter registration records are public. The county clerks and the Lieutenant Governor's Office have requested that this issue be examined to determine whether additional GRAMA (Government Records Access and Management Act) protections are appropriate for date of birth information provided during voter registration.

Mr. Weeks outlined "Access to Voter Date of Birth Records," draft legislation included in the Committee mailing packet, and stated that the draft classifies a voter's age as public record and the year of birth as private. He also explained the handout included in the Committee mailing packet entitled "States with Restricted Access to Voter Date of Birth Records."

Mr. Richard Hemp, Specialist in Identification Theft, Office of the Attorney General, explained that date of birth information facilitates identification theft. He noted that the more information that is readily available the more likely there is to be intrusion. He recommended to the Committee to make the date of birth private, and explained that keeping the age public was a good compromise.

Ms. Shelley Cordan Tuesher, Lexis Nexis, explained that personal information, such as date of birth, is kept with a high degree of seriousness and confidentiality when it is obtained by companies. She talked briefly about what the Lexis Nexis Database is used for. Ms. Tuesher distributed to the Committee a handout showing how date of birth can be used to track individuals. She recommended that date of birth remain public.

Rep. Hutchings stated that allowing public access to the date of birth is potentially a serious issue. Rep. Hansen noted that date of birth information is used for genealogical records.

Mr. Ronald Mortenson, citizen, advised the Committee to not allow date of birth access to the public. He explained that citizens should not have to risk being a victim of identity theft because they desire to vote.

MOTION: Chair Donnelson moved to adopt 2008 General Session draft legislation "Access to Voter Date of Birth Records."

SUBSTITUTE MOTION: Rep. Hendrickson moved to continue to the next agenda item. The motion failed with Rep. Hansen, Rep. Hendrickson, and Rep. Wiley voting in favor of the motion. Rep. Bigelow was absent for the vote.

Chair Donnelson's original motion passed with Rep. Hansen, Rep. Hendrickson and Rep. Wiley voting against the motion. Rep. Bigelow was absent for the vote.

4. Election Law Changes (draft legislation)

Mr. Weeks outlined four draft bills introduced to the Committee during the last meeting. He explained the changes made to "Election Law Modifications," which included code consolidations and changes in certification deadlines.

Mr. Michael Cragun, Office of the Lieutenant Governor, recommended deleting lines 386 and 387, which consisted of ballot formatting instructions that were no longer necessary due to the state's complete discontinuation of punch card voting machines.

MOTION: Rep. Aagard moved to amend "Election Law Modifications," as follows:

Page 13, Line 385: delete "and" and insert a period
Page 13, Lines 386-387: delete lines 386 and 387

The motion passed unanimously.

MOTION: Rep. Aagard moved to accept "Election Law Modifications," as a committee bill with the recommended amended language. The motion passed unanimously.

Mr. Christensen explained 2008 General Session draft legislation, "Candidate Residency Requirements," which was mailed to the Committee prior to the meeting. The bill provides a one-year residency requirement for state and local school board candidates prior to election day. He referred to a handout entitled "Residency Requirements for State and Local Offices," which was mailed to the Committee prior to the meeting.

MOTION: Rep. Bigelow moved to accept "Candidate Residency Requirements," as a committee bill. The motion passed unanimously.

Mr. Christensen explained the draft legislation entitled "Lieutenant Governor Powers - Administration to Oaths," which allows the Lieutenant Governor and designated employees to administer oaths.

MOTION: Rep. Bigelow moved to accept "Lieutenant Governor Powers - Administration of Oaths," as a committee bill. The motion passed unanimously.

Mr. Weeks referred to the "Utah Campaign and Financial Reporting Due Dates," handout, which was distributed to the Committee prior to the meeting. He distributed 2008 General Session draft legislation, "Campaign and Financial Reporting Requirements Title 20A, Chapter 11." Mr. Weeks explained the changes made to the bill using the handout.

MOTION: Rep. Hutchings moved to amend "Campaign and Financial Reporting Requirements Title 20A, Chapter 11," as follows:

Page 25, Line 768: insert "(a) May 15 for a state board candidate,"
Renumber remaining subsections accordingly.

The motion passed unanimously.

MOTION: Sen. Bell moved to adopt "Utah Campaign and Financial Reporting Due Dates," as a committee bill with the recommended amended language. The motion passed unanimously.

5. Notary Seal Issues (draft legislation)

Mr. Weeks introduced 2008 General Session draft legislation, "Notary Public Revisions," which was mailed to the Committee prior to the meeting. He outlined changes and modifications to the draft, which included removing the requirement for notary seals to contain an address.

MOTION: Rep. Oda moved to accept "Notary Public Revisions," as a committee bill. The motion passed unanimously with Rep. Hendrickson and Rep. Bigelow absent for the vote.

6. Recodification of Title 63, State Affairs in General -- Update

Mr. Christensen outlined and presented "Recodification of Title 63, State Affairs in General," and distributed a copy of the presentation to the Committee. He also referred the Committee to a handout entitled "Recodification of Title 63, State Affairs in General," which had been mailed to the Committee prior to the meeting. As reported in the September 19 meeting, the bill is currently 3,094 pages and is primarily a renumbering project to allow for future growth in the code. Mr. Christensen outlined the innovation that has been required to draft the bill, which included combining existing sections, cross referencing new sections, and creating a new program to automatically bracket existing section numbers. He noted that this bill will be reconsidered for action at the next Committee meeting.

Rep. Hutchings asked staff to advise them on the large draft. Mr. Christensen said that staff would explain as much detail as desired. He referred the Committee to the handout entitled "Recodification of Title 63, State Affairs in General," which included sample pages, and explained the changes made throughout the bill.

7. Other Items / Adjourn

MOTION: Rep. Hendrickson moved to adjourn. The motion passed unanimously with Rep. Bigelow absent for the vote.

Chair Knudson adjourned the meeting at 11:51 a.m.