

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**
November 13, 2007 – 3:00 p.m. – W135 House Building

Members Present:

President John L. Valentine, Chair
Speaker Greg J. Curtis, Vice-Chair
Sen. Curtis S. Bramble
Sen. Gene Davis
Sen. Mike Dmitrich
Sen. Sheldon Killpack
Rep. David Litvack
Rep. David Clark
Rep. Brad King
Rep. Carol Spackman Moss
Rep. Gordon E. Snow

Members Absent:

Sen. Dan R. Eastman
Sen. Patricia W. Jones
Sen. Ed Mayne
Rep. Brad L. Dee

Staff Present:

Mr. Michael E. Christensen, Director
Ms. Gay Taylor, Associate General Counsel
Ms. Beverlee LeCheminant, 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

President Valentine called the meeting to order at 3:10 p.m.

MOTION: Rep. Snow moved to approve the minutes of the September 18, 2007 meeting. The motion passed unanimously. Rep. Clark, Rep. Moss, Rep. Riesen, and Rep. Snow were absent for the vote.

2. Report from the Office of Legislative Fiscal Analyst on “This is the Place Heritage Park”

Mr. Christensen said earlier this summer the Legislative Management Committee (LMC) requested an audit from the Office of the Legislative Fiscal Analyst on “This is the Place Heritage Park.” He indicated that the report from the audit has been distributed to the committee members for them to review.

3. Letters from Interim Committees

Mr. Christensen reviewed a letter from the Transportation, and Revenue and Taxation Interim Committees requesting permission to hold a joint meeting to hear from the Office of the Legislative Auditor General regarding an audit of the Utah Transit Authority. The date for the meeting has not been set as they do not know when the audit will be completed, but it could be the end of December or the first part of January.

MOTION: Rep. King moved to approve the additional meeting, but if the audit information is not available for the meeting, it will be reassigned to a standing committee. The motion passed unanimously. Speaker Curtis, Rep. Clark, and Rep. Moss were absent for the vote.

Mr. Christensen reviewed a letter from the Executive Appropriations Committee requesting that each appropriations subcommittee meet at the State Capitol on January 16, 2008, to hold all-day budget hearings in preparation for the fiscal year 2009 base budgets.

MOTION: Sen. Killpack moved to approve the Executive Appropriations Committee's request to hold all-day budget hearings on January 16, 2008. The motion passed unanimously. Speaker Curtis, Rep. Clark, and Rep. Moss were absent for the vote.

4. Sunset Reviews

Ms. Taylor indicated that the Sunset Act and Repealers highlights the actions of the interim committees regarding the sunset reauthorizations and repealers that were assigned this interim, including those actions that will take place at the November interim meetings.

MOTION: Rep. Snow moved to approve the actions of the interim committees regarding the sunset reauthorizations and repealers that were assigned this interim, including those actions that will take place at the November interim committee meetings, and directed staff to prepare a bill for the 2008 General Session. The motion passed unanimously. Speaker Curtis, Rep. Clark, and Rep. Moss were absent for the vote.

5. Legislative Management Committee Policies

Use of Committee Rooms

Ms. Taylor said this policy expands legislative oversight to certain named committee rooms in the State Capitol.

MOTION: Rep. King moved to approve the Legislative Management Committee Policies regarding the use of committee rooms in the State Capitol. The motion passed unanimously.

Use of Assigned Parking Stalls

Ms. Taylor said that the parking policy has been updated to include the assigned parking places in the various lots for legislators and legislative staff.

MOTION: Rep. Riesen moved to approve the Legislative Management Committee Policies regarding the use of assigned parking stalls. The motion passed unanimously.

Legislative Intern Program

Ms. Taylor said the basic principal in the policy for the legislative intern program is taking interns from independent contractors and making them employees. It was felt, after some discussion and research, that this might be a better approach to the employment status of legislative interns.

Sen. Bramble said this is an issue the Legislature has been wrestling with for some time. As they have looked at the collective body of tax law, it seems like it is a much better fit that the interns be paid as employees with Social Security taxes deducted so that at the end of the year when they file their taxes they will not have the self-employment tax.

MOTION: Sen. Bramble moved to approve the Legislative Management Committee Policy for the Legislative Intern Program. The motion passed unanimously

Amendments to Utah Legislative Policies and Procedures for Handling Records Requests

Ms. Taylor said that GRAMA allows the Legislature and the Judiciary to separately adopt certain policies recognizing them as independent bodies from the executive branch, so they are not entirely governed by the principles of GRAMA. With that in mind, it is staff's recommendation that they expand the protected status to draft legislation. This change would mean that if a legislator has not yet decided whether or not to file legislation and number a bill, but would like to receive comments from a constituent or any third person, that the legislator would be able to direct staff to share it with a person or limited group of people and it would maintain the protected status until the legislator decides to number the bill or introduce it in a public meeting, which would make it a public document. It provides how a legislator can make legislation public; it provides protection for a fiscal note; and it provides, with regard to the retention schedule, that the retention period for research would be the shorter of three years or when the administrative need ends.

MOTION: Sen. Killpack moved to approve the amendments to the Utah Legislative Policies and Procedures for Handling Records Requests. The motion passed unanimously.

6. Other Business

No other business was discussed.

7. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

President Valentine adjourned the meeting at 3:33 p.m.

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