

**MINUTES OF THE
GOVERNMENT OPERATIONS and POLITICAL SUBDIVISIONS
INTERIM COMMITTEE**

Wednesday, August 18, 2010 – 2:00 p.m. – Room 30 House Building

Members

Sen. Peter C. Knudson, Senate Chair
Rep. Fred R Hunsaker, House Cochair
Sen. Jon J. Greiner
Sen. Benjamin M. McAdams
Sen. Ralph Okerlund
Sen. Jerry W. Stevenson
Rep. Sheryl L. Allen
Rep. Ron Bigelow
Rep. Rebecca Chavez-Houck
Rep. Ben C. Ferry
Rep. Janice M. Fisher
Rep. Keith Grover
Rep. Neal B. Hendrickson
Rep. John G. Mathis
Rep. Jennifer M. Seelig
Rep. Larry B. Wiley

Members Absent:

Rep. Craig A. Frank, House Cochair
Rep. Douglas C. Aagard
Rep. Jim Bird
Rep. Kerry W. Gibson
Rep. R. Curt Webb

Staff Present:

Mr. Benjamin N. Christensen, Policy Analyst
Mr. Joseph Wade, Policy Analyst
Ms. Emily R. Brown, Associate General Counsel
Ms. Victoria S. Ashby, Associate General Counsel
Ms. Wendy Bangarter, 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 2:25 p.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the June 23, 2010 meeting. The motion passed unanimously. Rep. Ferry, Rep. Grover, and Rep. Seelig were absent for the vote.

2. Election Administration by County Clerks

Mr. Ben Christensen gave a presentation showing a framework for the administration of elections. He referred to "Utah Election Administration" previously distributed to the Committee. He addressed who currently may administer elections and posed the question from the Master Study Resolution, "Should counties administer all elections?" He stated three consensus goals for successful election administration: 1) election integrity, 2) voter satisfaction, and 3) cost efficiency. He reviewed the pros and cons of county-administered elections. He also reviewed other options that could be considered.

Mr. Lincoln Shurtz, Legislative Coordinator, Utah League of Cities and Towns, stated that cities and counties feel relatively comfortable with the current circumstances of administering elections. However, with the new federal requirement to use electronic voting equipment for county-administered elections, the cost of elections has increased for county-administered elections. He suggested some issues and options that should be addressed and clarified as this topic is studied further.

Ms. Sherry Swenson, Salt Lake County Clerk, explained voting by mail under the current statute.

Mr. Bryan Thompson, Utah County Clerk/Auditor, confirmed that counties are willing to contract with the cities with proper advance notice and as long as the county's costs are covered. He noted that counties work on a calendar budget year instead of a fiscal budget year. He also noted that counties do provide voter registration databases even if they do not administer an election. He stated that they also support special district elections.

Mr. Jason Yocom, Chief Deputy Clerk, Salt Lake County, presented the perspective of a large urban county. He said that every jurisdiction does not work the same so a variety of options are necessary for counties as well as municipalities. He stated that Salt Lake County has developed a cost allocation formula and can give a city an estimate of actual costs and then bill the city after the election. He distributed a copy of the interlocal agreement Salt Lake County uses, a "scope of work" from a 2009 municipal election, and a sample cost allocation flat from that election.

Mr. Brent Gardner, Executive Director, Utah Association of Counties, stated that counties administer all but municipal and special district elections and that most jurisdictions are comfortable with contracting with counties to administer elections for municipal and special district elections.

Mr. Mark Anderson, General Counsel, Utah Association of Special Districts, explained that local district and special service district boundaries are different from municipalities because their boundaries do not always align with the surrounding municipalities. Therefore, it is not always feasible for the special districts to hold elections in conjunction with a county or municipal election. He agreed that it should be by contract on a case-by-case basis, depending on the feasibility. He noted that special districts now have the option of by mail only elections.

3. Per Diem and Travel Expenses for Government Boards (draft legislation)

This agenda item was not discussed.

4. Privatization Policy Board -- Annual Report

Mr. Randy Simmons, Chair, Privatization Policy Board, gave the Board's annual report and stated that the Board will be making recommendations in a future meeting.

Mr. Kent Dee Beers, Director, Division of Purchasing and General Services, Department of Administrative Services, explained that the activities of the state agencies are inventoried to determine whether each activity is a commercial activity or an inherently governmental activity. Once the survey is completed, the agencies are invited to address the Board and the Board, in turn, makes a recommendation to the Legislature as to which services provided by an agency could be privatized. He distributed a list of those surveyed for consideration.

5. Online Voter Registration - Update

Mr. Mark J. Thomas, Administrator, Office of the Lieutenant Governor, demonstrated an online system for voter registration in Utah. He stated that the system is now available for use at <http://elections.utah.gov>. He announced their September plans to educate the public on the online voter registration. He explained that since the Division of Motor Vehicles (DMV) also uses the website, costs have greatly decreased. He demonstrated the ease of the online voter registration and stated that a person's signature is captured from the DMV to use for comparison purposes. He said they would like to work with the Committee to protect stored email addresses.

6. Privatization of the Sale of Surplus State Vehicles

Mr. Beers distributed "Sale of State Owned Surplus Vehicles." He reviewed the current methods used to sell state vehicles. He said that those not sold after 90 days are sent to a private sector auction company. He explained that they also sell surplus vehicles for higher education, cities, and counties. He reported on the turn-around time and the method for establishing the value of a vehicle. He stated they need a full-cost study and further analysis before they can make a recommendation to the Legislature whether this service could be privatized or not.

Mr. Sam Lee, Fleet Services, explained the optimal mileage and vehicle age for replacing a vehicle is now 105,000 miles for state vehicles.

Mr. Roger Berry, a vehicle auction owner, explained the process of selling vehicles at auction. He expressed his desire to be involved if the sale of state-owned surplus vehicles is privatized.

7. A Performance Audit of the "Working 4 Utah Initiative"

Mr. James Behunin, Audit Supervisor, Office of Legislative Auditor General, distributed "A Performance Audit of the Working 4 Utah Initiative." He gave a presentation demonstrating how difficult it is to track and report an actual saving/benefit of the initiative because they did not find enough valid measures of productivity. He indicated how some agencies are less productive and some are more productive depending on the services being provided, emphasizing that productivity is defined by how well the public is served. He stated that a modest financial savings was found but not as much as was hoped for and demonstrated where and how those savings were realized. He said the initiative's consistency with the Utah Constitution needs to be examined.

The audit includes the following recommendations:

- each state agency develop performance measures that management can use to monitor employee performance
- once the governor's office determines a state agency has an effective employee performance measure, the agency be granted approval to choose the work schedule that produces the highest level of performance.
- agencies reconsider their policies on lunch time and released exercise time
- after review of the Utah Constitution by the Attorney General, if inconsistencies are found, the findings be reported to the Constitutional Revision Commission

Mr. Jeff Herring, Executive Director, Department of Human Resource Management, stated that the governor was skeptical of this program and wanted justification of it. He knew the savings were not going to be what was anticipated, but did see a reduction in energy use and still sees the potential for greater savings.

Mr. Herring distributed documents showing measurements from a Dan Jones survey. He explained an online performance management system they hope to make available to all state employees. Mr. Herring said that on the whole, the Working 4 Utah Initiative is effective.

8. Other Items / Adjourn

MOTION: Rep. Allen moved to adjourn the meeting. The motion passed unanimously. Rep. Ferry, Rep. Grover, and Rep. Seelig were absent for the vote.

Chair Knudson adjourned the meeting at 5:00 p.m.