

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**

Tuesday, November 13, 2012 – 3:00 p.m. – Room 445 State Capitol

Members Present:

Speaker Rebecca D. Lockhart, Chair
President Michael G. Waddoups, Vice Chair
Sen. Scott K. Jenkins
Sen. Patricia W. Jones
Sen. Peter C. Knudson
Sen. Karen W. Morgan
Sen. Wayne L. Niederhauser
Sen. Ross I. Romero
Rep. Brad L. Dee
Rep. Gregory H. Hughes
Rep. Brian S. King
Rep. David Litvack
Rep. Ronda Rudd Menlove
Rep. Jennifer M. Seelig

Members Absent:

Sen. Benjamin M. McAdams
Rep. Christine F. Watkins

Staff Present:

Mr. Michael E. Christensen, Director
Mr. John L. Fellows, General Counsel
Ms. Phalin L. Flowers, Administrative Assistant

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 Lockhart called the meeting to order at 3:02 p.m. Rep. Watkins was excused from the meeting.

MOTION: Vice Chair Waddoups moved to approve the minutes of the September 18, 2012 meeting. The motion passed unanimously with Sen. Knudson and Rep. Hughes absent for the vote.

2. Division of Risk Management Settlement

Ms. Tani Downing, Director, Division of Risk Management, explained that, by statute, the division is required to bring any settlement over \$500,000 to the Legislative Management Committee for review and recommendation. She said that the settlement in this case involves a motorcyclist who was injured on the Utah Valley University campus by a university employee driving a university-owned automobile.

MOTION: Vice Chair Waddoups moved to authorize the settlement recommended by the Division of Risk Management at the maximum amount. The motion passed unanimously with Sen. Knudson, Rep. Hughes, and Rep. Seelig absent for the vote.

3. SITLA/Ute Land Exchange

Sen. Van Tassell distributed a map of the Uintah and Ouray Indian reservation and explained that he is asking for the Legislative Management Committee's support of a proposed land consolidation of state school trust, tribal, and federal lands within the Hill Creek Extension of the reservation. The proposed land consolidation involves the transfer of approximately 18,250 acres of school trust lands in the Grand County portion of the reservation to the federal government and the School and Institutional Trust Lands Administration's selection of an equal acreage of federal lands in the Uintah County portion of the Hill Creek extension. This consolidation requires approval of the Legislative Management Committee, as provided in the Utah Transfer of State Lands to United States Government Act.

Mr. John Andrews, Chief Legal Counsel, School and Institutional Trust Lands Administration, answered questions from the committee.

MOTION: Vice Chair Waddoups moved to approve the exchange of property between the School and Institutional Trust Lands Administration, the Ute tribe, and the federal government under the Utah Transfer of State Lands to United States Government Act. The motion passed unanimously with Sen. Knudson and Rep. Hughes absent for the vote.

4. ADA Grievance and Appeals Procedure for the Legislature

Ms. Victoria Ashby, Associate General Counsel, Office of Legislative Research and General Counsel, discussed "Utah Legislature Grievance Procedure under the Americans with Disabilities Act." She said that the Utah Legislature is required to have a grievance procedure in place under the Americans with Disabilities Act. She explained the process a complainant would follow under the grievance procedure recommended by the Office of Legislative Research and General Counsel.

MOTION: Vice Chair Waddoups moved to adopt "Grievance Procedure under the Americans with Disabilities Act." The motion passed unanimously with Sen. Knudson absent for the vote.

5. Reappointment of Jonathan Ball, Legislative Fiscal Analyst

Chair Lockhart explained that Jonathan Ball, the Legislative Fiscal Analyst, is reaching the end of his first six-year term. She said a member of the committee can sponsor a resolution reappointing Mr. Ball as Legislative Fiscal Analyst, or the committee can make a motion to recommend the reappointment of Mr. Ball as Legislative Fiscal Analyst, with a member of the committee sponsoring a resolution for the reappointment. She noted that the majority leaders or the speaker and the president usually sponsor resolutions to reappoint legislative staff members.

MOTION: Vice Chair Waddoups moved that a resolution reappointing Jonathan Ball as the Legislative Fiscal Analyst be sponsored by President-elect Niederhauser and Speaker Lockhart, and that the resolution be adopted as a committee bill. The motion passed unanimously with Sen. Jenkins, Sen. Knudson, and Sen. Morgan absent for the vote.

6. Letters to the Legislative Management Committee

Chair Lockhart discussed a letter from the chairs of the Health and Human Services Interim Committee regarding additional interim study topics.

MOTION: Vice Chair Waddoups moved to approve the request of the Health and Human Services Interim Committee to study additional topics. The motion passed unanimously with Sen. Knudson and Sen. Morgan absent for the vote.

7. Other Items/Adjourn

MOTION: President Waddoups moved to adjourn the meeting. The motion passed unanimously with Sen. Knudson and Sen. Morgan absent for the vote.

Chair Lockhart adjourned the meeting at 3:29 p.m.