

**MINUTES OF THE  
GOVERNMENT OPERATIONS INTERIM COMMITTEE**  
Wednesday, November 14, 2012 – 2:00 p.m. – Room 25 House Building

**Members**

Sen. Peter C. Knudson, Senate Chair  
Rep. Kraig Powell, House Chair  
Sen. Margaret Dayton  
Sen. Ross I. Romero  
Rep. Rebecca Chavez-Houck  
Rep. Craig A. Frank  
Rep. Brad J. Galvez  
Rep. Richard A. Greenwood  
Rep. Keith Grover  
Rep. David Litvack  
Rep. Curtis Oda  
Rep. Douglas Sagers

**Members Absent:**

Rep. Janice M. Fisher  
Rep. Lee B. Perry

**Staff Present:**

Mr. Arthur L. Hunsaker, Policy Analyst  
Ms. Emily R. Brown, Associate General Counsel  
Ms. Anna M. Allen, 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](http://www.le.utah.gov).

**1. Committee Business**

Chair Powell called the meeting to order at 2:35 p.m.

**MOTION:** Rep. Greenwood moved to approve the minutes of the October 17, 2012, committee meeting with an amendment on Page 2, Item #5, "Draft Legislation 'Candidate Amendments,'" first paragraph, regarding the version number of draft legislation "Candidate Amendments": delete "005" and insert "006." The motion passed unanimously with Sen. Romero and Rep. Grover absent for the vote.

**2. Draft Legislation "Account for People with Disabilities Amendments"**

Sen. Dayton introduced Mr. Palmer DePaulis, Director, Department of Human Services, who discussed draft legislation "Account for People with Disabilities Amendments" (2013fl-0342/006).

Mr. DePaulis stated that the bill requires a two-thirds vote of the Legislature to repeal the section creating the Account for People with Disabilities Restricted Account and prohibits the Legislature from using money in the account to eliminate an operating deficit.

Sen. Dayton then introduced Dr. Dean Robinson, a parent involved with the Utah State Developmental Center. Mr. Robinson expressed his appreciation to Sen. Dayton for her work with the center. He also discussed the purpose of the Center of Excellence and encouraged committee members to support draft legislation "Account for People with Disabilities Amendments."

Sen. Dayton, Mr. DePaulis, and Dr. Robinson responded to questions from the committee.

Ms. Kris Fawson, Legislative Coalition for People with Disabilities, expressed her support for the draft legislation and encouraged the committee to vote favorably on the issue.

Ms. Ruthanne Frost, Associate General Counsel, Office of Legislative Research and General Counsel, also responded to questions from the committee.

Chair Powell asked Ms. Frost to look further into the question of whether the draft legislation itself has to pass with a two-thirds vote, because it includes a section that can only be repealed with a two-thirds vote.

**MOTION:** Sen. Dayton moved to pass draft legislation "Account for People with Disabilities Amendments" as a committee bill. The motion passed unanimously.

### **3. Draft Legislation "Absentee Ballot Amendments"**

Ms. Brown discussed draft legislation "Absentee Ballot Amendments" (2013fl-0129/006). She stated that the bill prohibits a person from filling out an absentee ballot application for another person, except under certain circumstances, and prohibits a person from filing an absentee ballot application with an election officer for another person, except under certain circumstances.

Mr. Mark Thomas, Lieutenant Governor's Office, discussed the background of the legislation and the rationale behind the changes to this draft of the bill.

**MOTION:** Sen. Knudson moved to pass draft legislation "Absentee Ballot Amendments" as a committee bill. The motion passed unanimously with Rep. Galvez, Rep. Greenwood, and Rep. Litvack absent for the vote.

### **4. Draft Legislation "Election Law Amendments"**

Ms. Brown discussed draft legislation "Election Law Amendments" (2013fl-0064/005). She stated that the bill contains both the annual technical amendments made to the election law and some substantive issues the committee has identified during its discussions this year. She also said that the bill makes conforming amendments for the date of the Western Presidential Primary, addresses the submittal of an absentee ballot, repeals references to the county in a municipal ballot, and makes conforming amendments regarding the voter information pamphlet.

**MOTION:** Rep. Frank moved to pass draft legislation "Election Law Amendments" as a committee bill. The motion passed unanimously with Rep. Galvez and Rep. Greenwood absent for the vote.

Chair Powell relinquished the chair to Sen. Knudson.

### **5. Draft Legislation "Campaign Contribution Amendments"**

Rep. Powell introduced draft legislation "Campaign Contribution Amendments" (2013fl-0079/005) and asked Mr. Thomas to discuss the legislation in more depth.

Mr. Thomas stated that the bill:

- 1.) Prohibits an anonymous cash contribution over \$99;
- 2.) Requires a candidate to disburse an anonymous cash contribution or public service assistance over \$99 to either the state or political subdivision for deposit into its general fund or an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
- 3.) Prohibits a filing entity, other than a candidate, from using an anonymous cash contribution for a political purpose or as a political issues expenditure;
- 4.) Allows a filing entity to aggregate on reported contributions that do not exceed \$99; and
- 5.) Increases the amount at which certain filing entities must report the recipient of an expenditure.

Ms. Brown assisted in responding to questions from the committee.

Rep. Litvack recommended that the aggregate limit be \$50 rather than \$100.

Sen. Dayton expressed concern that the bill gives no feasible option to those who wish to make an anonymous contribution and that if contributors' identities were made known, they would be flooded with requests to fund other organizations.

**MOTION:** Rep. Powell moved to pass draft legislation "Campaign Contribution Amendments" as a committee bill.

**SUBSTITUTE MOTION:** Rep. Frank moved to change the anonymous contribution limit from \$99 to \$100 in draft legislation "Campaign Contribution Amendments." The motion passed with Rep. Chavez-Houck and Rep. Litvack voting in opposition and with Sen. Romero, Rep. Galvez, Rep. Greenwood, and Rep. Grover absent for the vote.

**MOTION:** Rep. Powell moved to pass draft legislation "Campaign Contribution Amendments," as amended, as a committee bill. The motion passed with Sen. Dayton, Rep. Chavez-Houck, and Rep. Litvack voting in opposition and with Sen. Romero, Rep. Greenwood, and Rep. Grover absent for the vote.

Chair Knudson relinquished the chair to Rep. Powell.

## **6. Draft Legislation "Boards and Commissions Amendments"**

Mr. Hunsaker discussed draft legislation "Boards and Commissions Amendments" (2013fl-0131/022). He described the changes to the draft since the October 2012 committee meeting. He also listed the groups which were included for repeal in the draft and explained why they were on the list. Mr. Hunsaker responded to questions from the committee.

Mr. Steve Erickson, Utah Audubon Council, stated that he supports the repeal of the Forestry, Fire, and State Lands Advisory Council.

**MOTION:** Rep. Litvack moved to delete all references to or effect upon the Board of Examiners in draft legislation "Boards and Commissions Amendments." The motion passed unanimously with Sen. Romero, Rep. Greenwood, and Rep. Grover absent for the vote.

**MOTION:** Rep. Frank moved to pass draft legislation "Boards and Commissions Amendments" as amended as a committee bill. The motion passed unanimously with Sen. Romero, Rep. Greenwood, and Rep. Grover absent for the vote.

## **7. Report: Veterans Reintegration Task Force**

Sen. Knudson discussed H.B. 162, "Veterans Reintegration Task Force." He discussed the task force's mission, the various topics the task force has discussed in its meetings, and its accomplishments throughout the year.

He also discussed draft legislation "Reauthorization of Veterans Reintegration Task Force" (2013fl-0413/002). He explained that the bill reauthorizes the Veterans Reintegration Task Force and limits its composition to not more than 21 members.

**MOTION:** Sen. Knudson moved to pass draft legislation "Reauthorization of Veterans Reintegration Task Force" as a committee bill. The motion passed with Sen. Romero, Rep. Greenwood, and Rep. Grover absent for the vote.

#### **8. Draft Legislation "Campaign Finance Reporting by Corporations"**

Rep. Daw discussed draft legislation "Campaign Finance Reporting by Corporations" (2013fl-0201/004). He explained that the bill requires a corporation that makes expenditures to influence the outcome of an election to report, on a financial statement, money received from a donor in certain circumstances and to notify a donor that the corporation may use the money to influence the outcome of an election. The bill also states that the corporation may disclose the donor in certain circumstances.

Mr. Thomas commented that there is a gap in the law where certain expenditures are not being reported and that this legislation appears to present a solution to ensure that those contributions are being reported.

Rep. Hughes stated that the purpose of this legislation is transparency.

Rep. Daw and Ms. Brown responded to questions from the committee.

**MOTION:** Rep. Chavez-Houck moved to pass draft legislation "Campaign Finance Reporting by Corporations" as a committee bill. The motion passed unanimously with Sen. Romero, Rep. Greenwood, Rep. Grover, and Rep. Litvack absent for the vote.

#### **9. Draft Legislation "Election Polling"**

Rep. Hughes and Rep. Daw discussed draft legislation "Election Polling" (2013fl-0233/002). Rep. Daw stated that the bill would require a person who conducts a poll or survey related to a candidate or ballot proposition to identify who paid for the poll or survey. Rep. Hughes and Rep. Daw stated that the purpose of this bill is transparency. They responded to questions from the committee.

**MOTION:** Sen. Dayton moved to pass draft legislation "Election Polling" as a committee bill. The motion passed with Sen. Romero, Rep. Greenwood, Rep. Grover, and Rep. Litvack absent for the vote.

#### **10. Draft Legislation "Political Consultant Registration"**

Rep. Hughes and Rep. Daw discussed draft legislation "Political Consultant Registration" (2013fl-0232/003). Rep. Daw stated that the bill would require a person who is paid to engage in political purposes to register with the lieutenant governor and file certain disclosures, and he indicated that the draft legislation was not ready for a vote.

#### **11. Adjourn**

**MOTION:** Sen. Knudson moved to adjourn. The motion passed unanimously with Sen. Romero, Rep. Greenwood, Rep. Grover, Rep. Litvack, and Rep. Oda absent for the vote.

Chair Powell adjourned the meeting at 5:07 p.m.