

COMMITTEE ON LEGAL SERVICES
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Sen. Dan Grossman, Vice-chair
Rep. Terrance Carroll
Rep. Lynn Hefley
Rep. Keith King
Rep. Rosemary Marshall
Sen. Jim Dyer
Sen. Peter Groff
Sen. Shawn Mitchell
Sen. Jennifer Veiga

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SUMMARY OF MEETING

COMMITTEE ON LEGAL SERVICES

January 20, 2006

The Committee on Legal Services met on Friday, January 20, 2006, at 8:32 a.m. in HCR 0109. The following members were present:

Senator Grossman, Chair
Senator Groff (present at 8:38 a.m.)
Senator Veiga
Representative Carroll T.
Representative Hefley (present at 8:42 a.m.)
Representative King
Representative Marshall
Representative McGihon, Vice-chair

Senator Grossman called the meeting to order.

Sharon Eubanks, Deputy Director, Office of Legislative Legal Services, addressed agenda item 1 - Update on OLLS Budget for FY 2006-07.

Ms. Eubanks presented the Office's 2006-07 budget request. She said the bottom line is that for 2006-07, the Office is requesting \$4,819,365. That represents a 5.47% increase over our 2005-06 budget. Within that budget, we have several different components in terms of operating expenses. We've stayed pretty much constant on operating expenses. There are some increases and decreases within that component and the operating expenses are going down just a smidge. In terms of travel that the Office is requesting, we have no increase and we ask for the \$5,000 that we've had for the last several years. For the commission on uniform state laws, there is an increase in terms of that funding. We're requesting \$43,965, which is a 4.10% increase that basically reflects anticipated increases for the membership dues and also trying to cover more of the travel expenses for the members to attend the annual meeting.

Ms. Eubanks said the major component of our budget, obviously, is personal services. For that component, we are requesting \$4,240,871. That represents a 6.29% increase over our current year's budget for personal services. There are several different components within that grouping that I'd like to discuss specifically. First of all, the executive branch, in their budget request, asked for increased funding for the employer contribution for employee health, dental, and life insurance so that it reflects 75% of the private sector employer contributions. That's a big jump in our budget. It's a 27% increase in terms of that budget component for a total of \$205,032. Our personal services budget also anticipates the 0.2% reduction in personal services. That's something that the Joint Budget Committee (JBC) has adopted as a common policy the last few years and we're anticipating that they will be adopting that same common policy. The other component that shows an increase is the amount we're requesting for transit. We currently provide a transit allowance of monthly payments to employees to help offset costs. The increase also reflects the fact that the Office has decided to participate in the Eco-pass program. That was an additional cost to provide additional help to our employees in terms of dealing with the parking and busing. The biggest change is in actual funding for salaries, to match what the executive branch is doing in their budget request. We are not requesting any money for salary survey. However, we are asking for money to fund a 3.64% increase in merit. That would be for all employees in the Office. On top of that, we are requesting an additional 5% salary increase for nonmanagement attorneys. This is to try to keep us more competitive with the private sector and also matches the additional funding for the attorney general's office for the 2005-06 fiscal year. They asked the JBC for additional funding for the current year. They got that, and they're actually asking for additional money for 2006-07. We're actually still a step behind in terms of the attorney general's office, but we thought it was reasonable to at least ask for a 5% increase. That sort of indicates why personal services in general is going up 6.29%, but still, with the overall budget, we stayed below a 6% increase.

Representative Marshall asked about the increase in the budget line for unemployment claims. Is the Office anticipating a number of claims? Ms. Eubanks said we always have something budgeted there just in case. That's \$2,000 we have in the current budget. It's not an increase, but it's something we always have on hand in case. On occasion, there is someone the Office terminates who has an unemployment claim and depending on how they get resolved depends on how much of that money we use.

8:38 a.m.

Hearing no further discussion or testimony, Representative McGihon moved to approve the Office budget, as provided in the Office narrative. The motion passed on a 7-0 vote, with Senator Groff, Senator Grossman, Senator Veiga, Representative Carroll, Representative King, Representative Marshall, and Representative McGihon voting yes.

Debbie Haskins, Senior Attorney, Office of Legislative Legal Services, addressed agenda item 2 - Approval of Notice Procedures for Rule Review Issues.

Ms. Haskins said at the December Committee meeting, we had some concerns raised about how our Office was giving notice to the agencies about rule review issues. For the approval of the Committee, I put together a memo outlining the background on what we had been doing, with recommendations on what to do in the future. The first page of the memo is the notice procedures we would propose, if you adopt this, could be put on our website. We would probably post it in our front office so that when people come into the Office they could see it. Basically, what we have come up with is that in addition to our initial contact with the agencies, like we always have, we would send out a notice at the point we decide we definitely have an issue for the committee. We would send out a notice to the contact person we've been working with, the division director if there is one, and the executive director for that department. We started doing that in the fall, but we were sending that notice out at the point we had finalized the agendas for the meetings, so if the contact person was not moving things up the food chain, they weren't getting the notice in the department to the executive director until about a week before the meeting. I think that reflects what happened at the December meeting. It may have been part of what led to some of the concerns. We had started sending out a notice because we were suspecting sometimes that things weren't necessarily getting communicated fully to the department folks, so we did start sending a formalized notice on it. I think, in reflection of what happened at the December meeting, the timing was not enough notice for those folks at the department. The actual notices that we have developed are at the back of the memo, so we propose that we send those out at an earlier point, when we decide we're taking issues to the Committee, which is probably going to be 2 to 4 weeks before the actual meeting. We have always posted the agenda on the Office's webpage, but what we have added is that now when you pull up the agenda, you'll be able to click onto each of the memos, so people from the agencies and also the public will be able to click on a link and review the memo before the meeting. We are still working on an e-mail notification system as the Committee requested, but there are some technological issues we're working through with the IT people. We're

working on that, but that is in progress. If you have any questions I'd be happy to answer them, but we're hoping you'll approve this notice procedure.

Representative McGihon said she has just one comment. She appreciates the good work that went into this. I think we might have an obligation to get it out to the lobby and then our obligation is met.

Senator Grossman said he'd also like to thank the Office for looking into the e-mail subscription thing, because I think if lobbyists are interested, they can look on the web for the information.

8:45 a.m.

Hearing no further discussion or testimony, Representative McGihon moved to approve the notice procedures for rule review issues. The motion passed on a 8-0 vote, with Senator Groff, Senator Grossman, Senator Veiga, Representative Carroll, Representative Hefley, Representative King, Representative Marshall, and Representative McGihon voting yes.

The Committee addressed agenda item 3 - Election of Chair and Vice-chair.

Senator Grossman said it is the tradition of the Committee to switch the chair and vice-chair positions each year.

8:46 a.m.

Representative Carroll nominated Representative McGihon to serve as chair of the Committee. No objections were raised to that motion and it passed unanimously.

8:47 a.m.

Senator Groff nominated Senator Grossman to serve as vice-chair of the Committee. No objections were raised to that motion and it passed unanimously.

8:49 a.m.

The Committee adjourned.