

MINUTES
Governor's Commission on Strengthening Utah's Democracy
Organizational Meeting

Feb. 5, 2009

Board Members Present: Chris Bleak (sitting in for State Representatives yet to be named), Yvette D. Donosso, Randy Dryer, Dave Hansen, Meg Holbrook, Bruce Hough, Dan Jones, Kirk Jowers, Tom Love, Frank Pignanelli, Dick Richards, Steve Starks, Ken Verdoia, LaVarr Webb, Doug Wright, and Larry Miller (by telephone)

Absent: Reverend John Wester

Senior Staff Present: Taylor Morgan, Kate Mecham

The Meeting Agenda was as follows:

1. Welcome and introductions
2. Administrative matters
 - a. **Funding or support** for website creation and maintenance, secretarial services, staff, printing, mailings, meeting costs (room rental and food), and travel.
 - b. **Website**—we have a lot of calls/questions/comments coming in and we need to be able to send them to one location. **We have created a (temporary?) email address:**
democracycommission@hinckley.utah.edu
 - c. **Staff.** Possible solution: Utah State Bar pro bono attorneys, University of Utah law students (pro bono initiative), professors from state universities, and HIP staff members Taylor Morgan and Kate Mecham could assist with everything from administrative to legal and academic research and writing. Finally, we could recruit undergraduate interns. **Proposed:**
 - i. Legal
 1. Chief of Staff (to coordinate the research projects by attorneys and professors) – **Matthew Sanderson, Caplin & Drysdale.**

2. Ethics laws (gift and conflict-of-interest laws and independent ethics commission) – **Scott S. Bell, Parsons, Behle & Latimer**
3. Campaign finance laws – **Stefan P. Brutsch, Parsons, Behle & Latimer**
4. Redistricting laws and procedures – **Douglas Owens, Holland & Hart**
5. Lobbying regulations (disclosure and revolving door issues) – **David R. Hall, Parsons, Behle & Latimer**
6. Elections (caucus and convention system, open or closed primary, voter registration, and voting options)

ii. Academic

1. **Michael Lyons, Utah State University** (Associate Professor of Political Science)
2. **Richard Davis, Brigham Young University** (Professor of Political Science)

d. Meetings/hearings

- i. How far in advance do we want to schedule dates and places for open meetings of the Commission and will they be open or closed?
- ii. When and how will agendas for the meetings be available?
- iii. How does one obtain an opportunity to testify before the Commission?

3. Discussion of Commission's charge, issues, and structure.

a. The Commission needs:

- i. a writer to keep minutes and track of progress;
- ii. a framework—we have a very broad mandate, so we need to focus and become disciplined as our priorities become clear;
- iii. to determine how it will interact with other relevant groups, including Utah House Ethics Committee (Committee Chairs Rep. John Dougall and Rep. Rebecca Chavez-Houck); Utah Commission on Civic and Character Education (Chair, Lieutenant Governor Gary R. Herbert); and Utah Coalition for Civic, Character, and Service Learning (Chief Justice Christine M. Durham); and
- iv. to decide how the Commission will make decisions (majority or super-majority needed for a conclusion, dissenting opinions, etc.).

I. The Commission agreed, without objection, that it would not seek public funds to pay for services, meeting places, and materials required by the Commission. Instead the Commission would seek to utilize its own resources.

- a. Services and Resources Volunteered By Commission Members
 - Tom Love – website development
 - Ken Verdoia – media services, video capabilities
 - Bruce Hough – Printing
 - Kirk Jowers – Hinckley Institute of Politics staff members and interns
 - Randy Dryer, Kirk Jowers, Larry Miller, Steve Starks, and Ken Verdoia – meeting places
 - The Commission will contact Kirk Jowers with any additional available resources and pursuant to Commission need.

- b. Staffing and Organization:
 - The Commission agreed, without objection, to
 - operate as a committee at-large instead of dividing into subcommittees for individual issues;
 - utilize the services of attorneys and professors willing to work on a pro bono basis on the issues per instructions from the Commission; and
 - accept the services of the individuals identified in the agenda.
 - Individual Commissions suggested the following:
 - Dave Hansen: Attorneys will not be giving policy recommendations, but present information for Commission consideration. *Kirk Jowers will instruct attorneys accordingly.*
 - Meghan Holbrook: Seek more minority and women representatives from the Bar. *Kirk Jowers will work with Yvette Donosso to ensure more diversity.*
 - Commission members suggested the following individuals as important resources:
 - Former Utah Governor and HHS Secretary Mike Leavitt
 - Former Utah Governor and Speaker of the House Norm Bangerter
 - Former U.S. Representative from Utah and Speaker of the House James V. Hansen
 - Former U.S. Representative from Utah Karen Shepherd

- c. Meetings
 - The Commission will seek to have an initial set of findings and conclusions ready for November, but there may be a rollout of findings and conclusions that extends beyond the initial announcement.
 - The Commission confirmed that it has no legal obligation to open its business to the public and the potential efficiency advantages of opening hearings to the public while keeping its working meetings

closed. Nevertheless, the Commission agreed, without objection, that all meetings will be open to the public.

- The Commission agreed, without objection, that:
 - the website should be a forum for public discussion, an announcement mechanism for future meetings and agendas, a resource for the public to find meeting minutes and other relevant documents;
 - meetings should be scheduled at least once per month and anticipate that they will need to be scheduled more frequently;
 - attorneys should do the research on issues and provide their memoranda to the commissioners prior to the meetings so that commissioners can be properly prepared to contribute;
 - a meeting be scheduled on Tuesday March 3rd from 3:00-5:00 pm in the Governor's Boardroom at the Capitol (*Meg Holbrook will arrange*);
 - a five hour meeting on a Saturday in March should be scheduled as soon as possible (tentatively set to go from 9:00 am to 2:00 pm); and
 - an advance proposed schedule should be established as soon as possible.
- Randy Dryer summarized the "Four Steps for the Commission":
 - 1) educate ourselves; 2) explore the issues and alternatives; 3) make policy recommendations; and 4) make case of the Commission's policy recommendations to the public.
- Chris Bleak offered to provide an opportunity for the Commission to watch how the redistricting process is carried out and interact with the legislative staff in understanding how the maps are created. *Kirk Jowers will work with Bleak to arrange.*
- The Commission debated whether it should conduct an in-depth survey to delve into the reasons why Utahns are voting less and desirous of reforms, and which reforms would be most viewed as the most effective. Such a survey would probably cost about \$20-25,000. The Commission deferred this decision to a later date.

II. Next Meeting

- **Tuesday, March 3rd at 3:00-5:00 pm in the Governor's Boardroom at the Capitol.**
 - Individual(s) from the Lieutenant Governor's Office and the Executive Directors of the Democratic and Republican Parties will be invited to speak to the Commission regarding ELECTIONS (caucus and convention system, open or closed primary, voter registration, and voting options).