

2017 Interim Committee Report



Legislative Management Committee

Prepared by the Office of Legislative Research and General Counsel

Interim Committee Report

Legislative Management Committee

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Green means that draft legislation has been approved as a committee bill.

Yellow means that the issue, although significant, did not merit sufficient time to fully study and develop a solution.

Red means that the committee studied the issue and does not think there is sufficient support to spend further time on the issue.

Judiciary Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
DNA - Post Conviction Testing and Fees	2018FL-0393/007	DNA Amendments	At the May meeting , the Rocky Mountain Innocence Center explained concerns with current law that prohibits a court from ordering post-conviction DNA testing under certain circumstances. The Office of the Attorney General explained why it resists a change to the current law. At its September meeting , the committee approved draft legislation to repeal the provision when post-conviction DNA testing may be requested and to correct the fee amount collected by a sheriff in obtaining a DNA specimen.
Family Law - Parenting Plans	2018FL-0369/005	Parenting Plan Amendments	At its September meeting , the committee approved draft legislation to include an amendment to parenting plans in divorce proceedings requiring an education plan for their children.
Eliminate Reports	2018FL-0394/003 2018FL-0449/003	Repeal of Health-Related Pilot Program Obscenity and Pornography Complaints Ombudsman	At its May meeting , the committee reviewed a list of statutorily required reports . The committee discussed which reports to eliminate and which reports should be received verbally or in writing. At its September meeting , the committee approved these two committee bills.
Restricting Contact to Protect the Personal Safety of an Individual	2018FL-0524/011	Domestic Violence, Dating Violence, and Stalking Amendments	At the June meeting , staff explained various types of protective orders and other methods of placing restrictions on one individual to protect the safety of another. The committee received comments from the Administrative Office of the Courts, prosecutors, and defense attorneys regarding issues with the statute.

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			At its November meeting , the committee approved this draft legislation.
Sunset Review- Administrative Office of the Courts	2018FL- 0677/005	Administrative Office of the Courts Amendments	At its August and September meetings , the committee approved draft legislation to make technical amendments and remove the Office of the Court Administrator from the Legislative Oversight and Sunset Act.
Blood-Draw Warrant Requirements	2018FL- 0792/008	Blood Testing Amendments	At its September meeting , the committee received a briefing on the law regarding when a blood-draw is allowed. At its November meeting , the committee approved draft legislation which would outline the circumstances under which a peace officer may obtain a blood draw.
Family Law - Child Support	2018FL- 0793/006	Child Support Guidelines Amendments	At its September meeting , the committee received a report from the Child Support Guidelines Advisory Committee regarding the committee's review of the child support guidelines. The committee also opened a committee bill file to clarify provisions regarding the Child Support Guidelines Advisory Committee. At its November meeting , the committee approved draft legislation which would make the Child Support Guidelines Advisory Committee an ongoing advisory committee and address procedures of the advisory committee.
Family Law - Divorce	2018FL- 0356/010	Divorce Process Amendments	At its November meeting , the committee received a presentation and report from the judiciary's Domestic Case Process Improvement Subcommittee. The committee also approved draft legislation which would repeal various provisions related to divorce actions and address mandatory courses before certain actions by the court.
Yellow Items			
Item	Bill/File	Short Title	Notes
DNA - State Database	--	--	At its May meeting , the committee discussed a proposal to study the feasibility of increasing the number of DNA samples collected and tested and increase the number of DNA identity markers added to the state DNA database. No action was taken.
Family Law - Conciliation Petition	--	--	At its May meeting , the committee heard an introduction of a proposal to study conciliation petition statutes to clarify when a petition may be filed. At its September meeting , the committee discussed and received comments on conciliation petition statutes. No action was taken.
Jury Nullification / Jury Instructions	2018FL- 0463/004	Criminal Procedure Amendments	At its August meeting , the committee discussed the role of a jury in a criminal trial and considered draft legislation which would modify the Utah Code of Criminal Procedure regarding information provided to a jury. No action was taken.

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Mens Rea Reform	--	--	At its September meeting , the committee discussed the adequacy of current state statutes regarding mens rea requirements. No action was taken.
Red Items			
Item	Bill/File	Short Title	Notes
None			

Law Enforcement and Criminal Justice Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Motor Carrier Ports of Entry	S.B. 1001	Port of Entry and Axle Weight Amendments	The committee discussed a special session bill to allow the Department of Transportation discretion in imposing fines for overweight vehicles based on circumstance. The committee voted to support this bill. The bill passed during the 2017 First Special Session.
Department of Public Safety Fee Revisions	2018FL-0529/004	Public Safety Fee Revisions	The committee discussed whether to increase fees for certain services provided by the Department of Public Safety. After an initial presentation, the committee voted to approve the draft as a committee bill.
Injury and PTSD Among Law Enforcement Officers	2018FL-0457/003	Public Safety Peer Counseling Provisions	The committee discussed the effects of PTSD on law enforcement officers and examined the potential benefits of peer counseling groups. The committee also discussed peer counseling groups during a discussion of Crisis Intervention Teams. The committee approved a bill draft which creates peer support and counseling services within public safety agencies.
Alcohol Abuse Tracking Committee Relocation	2018FL-0257/004	Alcohol Abuse Tracking Committee Relocation	The committee heard a presentation on the need to reassign the Alcohol Tracking Committee from the Department of Public Safety to the Department of Human Services. After the presentation, the committee approved the draft legislation.
Aggravated Murder Amendments	2018FL-0746/002	Aggravated Murder Amendments	The committee heard a presentation on the need to clarify the definition of aggravated murder to include all peace officers and emergency responders. After the presentation, the committee approved the draft legislation.

Yellow Items

Item	Bill/File	Short Title	Notes
Performance Audit of the Sex Offender Treatment Program	--	--	The Legislative Auditor General provided the committee a report on the inefficiencies and lack of oversight of the Sex Offender Treatment Program. The Department of Corrections explained changes it has made to the program in response to the audit. At a later meeting, the committee received a follow-up presentation from both the Office of the Legislative Auditor General and the Department of Corrections.
Crisis Intervention Teams	--	--	The committee heard a presentation from the Salt Lake City Police Department on employing crisis intervention training to help officers with PTSD and to recognize mental health needs in their communities. The committee also received a presentation

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			from Crisis Intervention Team Utah concerning the history of the organization and best practices for crisis intervention teams.
Off-Duty Law Enforcement Work	2018FL-0072/002	Office Duty Employment of Law Enforcement Officer	The committee received presentations from the Salt Lake Police Department Secondary Employment Office and the Unified Police Department concerning requirements for officers to engage in secondary employment. The committee also discussed draft legislation, "Off-duty Duty Employment of Law Enforcement Officer," which would address requirements for a law enforcement officer to engage in off-duty employment. The sponsor requested that this item not be heard by the committee.
Bail Issues	--	--	The committee discussed the pending implementation of statewide pretrial public safety assessments and heard remarks from the Administrative Office of the Courts and the Utah Association of Professional Bondsmen and Agents. After the discussion, the committee voted to strongly encourage the Utah Courts to hold off the November implementation of pretrial public safety assessment tools at the state level.
Law Enforcement Retention and Recruiting	--	--	The committee received a presentation from the Department of Human Resource Management on national and statewide recruitment and retention trends within law enforcement agencies. The committee also heard remarks from Utah Peace Officer Standards and Training on how lower recruitment rates have impacted the training process for law enforcement agencies.
Impact of Corrections Education Programs on Recidivism	--	--	The committee received a report from the Department of Corrections on how corrections education programs have affected recidivism rates in Utah.
Performance Audit of Statewide Investigative Functions	--	--	The Legislative Auditor General presented an audit on statewide investigative functions. The committee also received a response to the audit from the Office of the Attorney General and the Department of Public Safety.
Red Items			
Item	Bill/File	Short Title	Notes
None			

Government Operations Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Nonpartisan Candidate Replacement	2018FL-0023/003	Candidate Replacement Amendments	At its June meeting, the committee unanimously approved a committee bill that provides for the certification of a replacement candidate to fill a vacancy for certain local offices.
Voter Participation	2018FL-0400/006	Municipal Instant Runoff Voting Pilot Project	Originally composed of multiple study items related to voter participation, the committee chose to study ranked choice voting. The committee approved draft legislation to create a pilot project to permit a municipality to conduct a nonpartisan race using instant runoff voting. The committee opened this bill file in May and unanimously approved the draft bill in November.
Campaign Finance Review	2018FL-0522/007	Campaign Finance Amendments	The committee received a report from the Office of the Lieutenant governor identifying several inconsistencies in the campaign finance code related to contributions and financial statements and approved this committee bill to address several of those inconsistencies. The committee opened this bill file in May and unanimously approved the draft bill in November.
Required Reports Review	2018FL-0670/002	Government Operations Committee Amendments	This study item was to reduce or simplify the number of reports given to the committee each year. The committee reviewed each of the six reports it is required to be given and unanimously approved this bill to require several of the reports in written form, reduce the number of times certain reports are given, and give reports more flexible deadlines. The committee opened this bill file in August and approved the draft in November.
Review of Legislative Meetings	2018FL-0670/002	Government Operations Committee Amendments	The Legislative Management Committee assigned the Government Operations Interim Committee to study the effectiveness of all boards and commissions with a legislative member and recommend which should be repealed or modified. The committee conducted an initial review of all 66 subject boards and commissions and selected 25 for detailed review . In its detailed review, the committee met with a representative from each board and commission and ultimately recommended the repeal of the following: <ul style="list-style-type: none"> • Rural Development Legislative Liaison Committee • Legislative Committee on Landfill Siting Disputes • Government Procurement Private Proposal Program Committee • Constitutional Revision Commission

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			The committee further recommended revisions to the Data Security Management Council. The committee opened this bill file in August and approved the draft in November.
Election Law Cleanup	2018FL-0404/002	Election Law Modifications	<p>The committee unanimously approved two bill files in September to address errors or inconsistencies in the Election Code and the Lobbyist Disclosure and Regulation Act:</p> <ul style="list-style-type: none"> • Election Law Modifications, which addresses errors identified by the Office of the Lieutenant Governor; and • Political Activities and Elections, which addresses errors identified by committee staff.
	2018FL-0402/006	Political Activities and Elections	
State Employee Leave	2018FL-0036/003	State Employee Leave Policy Amendments	At its November interim meeting, the committee unanimously approved a committee bill that broadens the scope of paid leave that is available to state employees for certain disaster relief services.
Yellow Items			
Item	Bill/File	Short Title	Notes
Independent Entities	--	--	The committee transferred this item to the Retirement and Independent Entities Committee for its review.
Public Official Recording	--	--	Decided not to review item at sponsor's request
Review of DFCM Administration	--	--	Reviewed in September; no action taken
Boards and Commissions	--	--	Decided not to review item at sponsor's request
Public Private Partnerships	--	--	Decided not to review item at sponsor's request
Governmental Immunity	--	--	Reviewed in August; no action taken
Code Simplification	--	--	Reviewed in May; no action taken
National Popular Vote	--	--	Reviewed in November; no action taken
Lobbyist Licensing	2018FL-0403/005	Lobbyist Licensing Amendments	The committee bill would require a lobbyist to take an annual training course on unlawful harassment, prohibit a lobbyist from engaging in unlawful harassment, and provide penalties for a lobbyist who violates the provisions of the committee bill. The committee considered but did not pass the committee bill in its November interim meeting.

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Red Items			
Item	Bill/File	Short Title	Notes
Election Contests	--	--	Reviewed in June; no action taken
Poll Watchers	--	--	Reviewed in June; no action taken
Political Activities of Public Entities	--	--	Reviewed in June; no action taken
Unclaimed Property	--	--	Reviewed in August; no action taken
Sunset of Constitutional and Federalism Defense Act	--	--	Reviewed in November; no action taken

Public Utilities, Energy, and Technology Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Sunset Review: Development of proposed energy producer states' agreement - Membership selection - Agreements - Goals - Meetings - Reports	2018FL - 0837/007	Energy Producer States' Agreement Amendments	<p>September 20, 2017: Conducted a sunset review of Utah Code Section 36-12-20, which authorizes appointed Utah legislators to participate with legislators from other energy producer states in developing an energy producer states' agreement.</p> <p>During the November meeting, the committee approved draft legislation that extends the sunset date for Utah Code Section 36-12-20, for five years and changes the reporting requirement from the Natural Resources, Agriculture, and Environment Interim Committee to also require reporting to the Public Utilities, Energy, and Technology Interim Committee.</p>
Required Report: Tele-communications Network Review	2018FL- 0682/002	Tele-communications Network Review Amendments	<p>August 23, 2017: Before the creation, expansion, or upgrade of a state-owned or state-funded telecommunication network, the agency or entity proposing any change is required by Section 69-4-1 to submit a plan to the governor detailing the proposed changes. The governor may then direct the Public Service Commission to prepare an advisory report detailing how implementing the plan will affect telephone ratepayers where the plan would be in effect. The committee reviewed Utah Code Section 69-4-1 with input from the Public Service Commission, the Utah Rural Telecom Association, and CenturyLink.</p> <p>During the November meeting, the committee approved draft legislation that eliminates language prohibiting the Public Service Commission from holding public hearings or proceedings in preparation of the telecommunications network review report.</p>

Yellow Items

Item	Bill/File	Short Title	Notes
Broadband Privacy Rules	--	--	<p>May 17, 2017: Received presentations from the Department of Technology Services and industry representatives. The presentations addressed recent changes to FCC rules on broadband privacy, their implications, and the actions taken by other states to strengthen privacy protections for broadband customers.</p>
Combined Heat and Power	--	--	<p>June 21, 2017: Received presentations from LRGC staff, the Governor's Office of Energy Development, and industry</p>

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			<p>representatives about Combined Heat and Power (CHP) technology, its benefits, relevant state policy, and barriers to CHP's broader adoption in Utah.</p> <p>Opened a committee bill file in June meeting to address regulatory barriers to CHP adoption in Utah; however, in the November meeting the committee concluded that, while this is a significant issue, more time is needed to fully study and develop a solution.</p>
Long-term Energy Policy	--	--	<p>November 15, 2017: Received an update on the state's 10-year energy plan and information about issues important to long-term planning and policy, including management of Utah's energy resources and emerging technologies.</p>
Status and Future of Renewable Energy	--	--	<p>August 23, 2017 & November 15, 2017: Received presentations from industry representatives and comment from Rocky Mountain Power about the status, cost, and feasibility of wind and solar power infrastructure in Utah.</p>
Public Utility Regulatory Discussion	--	--	<p>June 21, 2017: Discussed the advantages and disadvantages of both regulated and deregulated public utilities with state agencies, Rocky Mountain Power, and other stakeholders. Discussion included historical context for Utah's public utilities and trends nationwide.</p>
Microgrids	--	--	<p>August 23, 2017: Discussed the types and benefits of microgrids in use at campuses, in municipalities, and for critical infrastructure.</p>
Status of Battery Storage Technology	--	--	<p>September 20, 2017: Received presentations from the Governor's office of Energy Development, an industry representative, and an academic expert discussing recent advancements and the status of battery storage technology.</p>
Communications System Overhaul	--	--	<p>September 20, 2017: Received an update from the Utah Communications Authority regarding its newly appointed board and plan relative to the timing and process for its communication system overhaul.</p>
Audit: A review of the Distribution and Use of Local 911 Surcharge Funds	--	--	<p>August 23, 2017: Heard the Legislative Auditor General's findings and recommendations regarding collection, distribution, and use of local 911 surcharge funds. Received comment from law enforcement agencies. Noted previous legislation (2017 General Session, SB 198) implemented many of this audit's recommendations, as well as the recommendations of a previous audit of 911 funds.</p> <p>Committee is looking further into the audit's recommendations and weighing different policy options, while considering the implications of any new policy. Legislation may be drafted for</p>

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			the 2018 General Session or the issue may be revisited during the 2018 interim for more in-depth study.
Audit: UCA, Improving Controls after Fraud Discovered	--	--	September 20, 2017 : Received a report from the Office of the Legislative Auditor General summarizing its audit findings and recommendations regarding control improvements at the Utah Communication Authority since it was discovered in April of 2016, that an internal theft of approximately \$800,000 had occurred. The Utah Communications Authority reported it has implemented all the audit's recommended control improvements.
Red Items			
Item	Bill/File	Short Title	Notes
Ethernet Cables	--	--	OLRGC staff researched the regulations for electricians installing CAT Ethernet low-voltage wires and provided results to the committee chairs and the requesting legislator. Based on the conclusions of the research, the committee did not consider the issue further.
Sunset: Natural gas fueling stations and facilities	--	--	August 23, 2017 : Received a report with recommendations from the Public Service Commission and Dominion Energy regarding Utah Code Subsection 54-4-13.4(1)(a)(ii), which allows Dominion Energy to receive rate recovery for building a natural gas vehicle fueling station in an amount exceeding \$500,000 in any calendar year if approved by the Public Service Commission. The Public Service Commission recommended the committee take no action and allow the language after "do not exceed \$500,000 in any calendar year" to sunset. The committee recommends allowing the language to sunset.

Business and Labor Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Sunset Review: Title 13, Chapter 51, Part 2, Transportation Network Vehicle Recovery Fund	2018FL- 0976/002	Transportation Network Vehicle Recovery Fund Sunset	Chairs opened this committee bill file in November. November : favorably recommend this draft legislation, which extends the sunset date five years.
Sunset Review: Section 34A-2-705, Industrial Accident Restricted Account, AND Subsection 59-9-101(2)(c)(iv), Industrial Accident Restricted Account (credit)	2018FL- 0396/002	Industrial Accident Restricted Account Sunset	May : discussed; opened this committee bill file. June : favorably recommend this draft legislation, which eliminates the sunset provisions.
Sunset Review: Section 57-1-25.5, Foreclosure of residential rental property - Effect on tenancy, AND Section 78B-6- 802.7, Foreclosure of residential rental property - Effect on tenancy	--	--	May : discussed; passed a motion to allow these statutes to expire.
Occupational and Professional Licensing Amendments	2018FL- 0623/006	Occupational and Professional Licensing Amendments	November : discussed; favorably recommend the draft legislation.
Utah Antidiscrimination Act Amendments	2018FL- 0395/004	Utah Anti- discrimination Act Amendments	May : reviewed A Performance Audit of the Utah Antidiscrimination and Labor Division's Employment Discrimination Unit Report #2017-02, and opened committee this bill file. November : discussed; favorably recommended the draft legislation.

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Uniform Construction Code Amendments	2018FL-0806/002	Uniform Construction Code Amendments	September : discussed; opened a committee bill file. November : favorably recommended the draft legislation.
Fireworks Restrictions	2018FL-0689/016	Fireworks Restrictions	August : opened a committee bill file. November : discussed; favorably recommended the draft legislation.
Consumer Reporting Agency Fees	2018FL-0867/002	Consumer Reporting Agency Fees	Chairs opened a committee bill file in October. November : favorably recommended the draft legislation.
Department of Insurance Amendments	2018FL-0728/004	Department of Insurance Amendments	Chairs opened a committee bill file in September. November : favorably recommended the draft legislation.
Health Insurance Coverage in State Contracts	2018FL-1040	Health Insurance Coverage in State Contracts	November : reviewed A Performance Audit of Public Entities' Oversight of the Qualified Health Insurance Statute. Rep. Dunnigan opened a bill file to address the audit's single recommendation to the Legislature.

Yellow Items

Item	Bill/File	Short Title	Notes
Bail Bond Modifications	--	--	Studied non-monetary bail bond options including treatment for substance use disorders as an alternative to bail (see H.B. 260 , 2017GS). June : discussed
Strategic Plan for Equal Compensation	--	--	Studied a plan to discuss gender-based wage discrimination. The study would be used to create a strategic plan to eliminate such discrimination (see S.B. 221 2017GS). November : discussed; passed a motion encouraging the sponsor to pursue the issue further.
Worker Safety on the Job	--	--	Sponsor requested that the committee not study minimum safety standards and safety training for contractors and workers, including enforcement.
On-Premise Signage within a Comprehensive Development	--	--	Sponsor requested that the committee not study certain location restrictions for an advertising structure owned by a public assembly facility and seating capacity for a public assembly facility (see H.B. 356 , 2017GS).
HOA Board Conversion	--	--	Sponsor requested that the committee not study the effect of converting HOA boards from developer control to homeowner control, or determining conversion based on time and not on the percentage of the ownership of the developer.
Ticket Resale Fraud	--	--	Sponsor requested that the committee not study concerns with third-party websites and sellers offering event tickets at inflated

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			prices. Such practices may make it difficult for Utah families to afford tickets for sporting events, concerts, and other performances. Approximately 25 states regulate scalping. Regulations include restrictions on how much scalpers can sell tickets for, what events they can sell tickets to, and where they can stand when they sell them. Sponsor had introduced H.B. 76 , 2010 General Session, to regulate ticket scalping.
Sunset Review: Section 31A-22-619.6, Coordination of benefits with workers' compensation claim -- Health insurer's duty to pay, AND Section 34A-2-213, Coordination of benefits with health benefit plan -- Timely payment of claims	2018FL-0510	Workers' Compensation Coordination of Benefits Amendments	Studied concerns related to the coordination of benefits for workers' compensation. June : reviewed by the committee. The sponsor was encouraged to work with stakeholders.
Red Items			
Item	Bill/File	Short Title	Notes
Heavy Beers/Beer Production and Distribution	--	--	Studied the policy of beer containing 3.2% alcohol or less by weight. Under current law, 3.2 beer is sold in convenience/grocery stores, whereas higher percentage beer and malt beverages are sold in state-run liquor stores. June : discussed
Occupational Licensing [Barriers]	2018FL-0062/002 2018FL-0028/004	2018FL-0028/004: Occupational Licensing Amendments 2018FL-0062/002: Occupational Licensing Requirement Amendments	Studied the effect of decreasing licensing barriers for people moving to Utah to practice their profession (see H.B. 331 , 2017GS) June : discussed September : discussed
Extending Benefit Corporations to LLCs	--	--	Studied the effect of allowing an LLC to organize for a charitable purpose. In 2014, the Legislature enacted the Benefit

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			Corporation Act (see S.B. 133 , 2014GS). Current law allows a corporation to file as a benefit corporation. August : discussed
Mold Abatement and Remediation for Rentals	--	--	Studied the effect of including mold abatement and remediation for rentals in rental agreements. August : discussed
Workplace Discrimination Amendments	--	--	Sponsor requested that this item not be heard by the committee.
Alternative Pain Management Study	2018FL-0807/003	Alternative Pain Management Study	September : discussed; chairs directed staff to open a committee bill file. November : a motion to favorably recommend this committee bill was withdrawn.

Political Subdivisions Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Local government enforcement mechanisms	2018FL-0377/006	Misdemeanor Amendments	
	2018FL-0216/009	Local Government Indigent Defense Requirement	
Sunset review: local government plan review	--	--	Draft legislation was not prepared in time for the committee's consideration, but after review of the issue, the committee voted to recommend that the sunset date be extended by one year.
Legislative audit review: "A Review of Best Practices for Internal Control of Limited Purpose Entities"	2018FL-0707/006	County Listing of Local Government Entities and Limited Purpose Entities	
	2018FL-0679/003	Local Government and Limited Purpose Entities Registry	
Sunset review: Mental Health Crisis Line Commission	2018FL-0790/004	Utah Mobile Crisis Outreach Team Act	The sunset review for the Mental Health Crisis Line Commission was originally assigned to the Health and Human Services Interim Committee; however, chairs of both committees agreed that the Political Subdivisions Interim Committee would conduct the review. The committee opened four bill files to address various components of the issue.
	2018FL-0788/002	Mental Health Crisis Line Amendments	
	2018FL-0789/002	Medicaid Waiver for Mental Health Crisis Services	
	2018FL-0791/001	Mental Health Crisis Line Commission	

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		Sunset Amendments	
Free expression regulation by local government	2018FL-0478/006	Free Expression Regulation Amendments	
Community Reinvestment Agency Act	2018FL-0068/004	Community Reinvestment Agency Amendments	
Removal of local officials	2018FL-0544/007	Local Elected Officer Amendments	
Disposing of property for less than fair market value	2018FL-0271/009	Community Reinvestment Agencies Revisions	
Statutorily required reports	--	--	Committee received reports from the following entities: <ul style="list-style-type: none"> • Utah's Associations of Governments • Political Subdivisions Ethics Review Commission • Quality Growth Commission
Encroachment of municipalities upon local/special service district boundaries	--	--	Committee discussed the issue and it was resolved without legislation.
Yellow Items			
Item	Bill/File	Short Title	Notes
Animal shelters: information disclosure	--	--	Committee discussed the issue, but it required further study and draft legislation was not prepared in time for the committee's consideration; however, draft legislation is underway for the upcoming General Session.
Lien powers granted to local governments	2018FL-0595/002	Political Subdivisions Lien Authority	Committee discussed the issue and draft legislation but, because further refinement was necessary, did not take a position.
Failure of septic systems	--	--	Committee extended invitations to the study item sponsor to present the issue, but the sponsor reported it was not ready for committee discussion.

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and water quality			
Municipal sewer treatment plants	--	--	Committee extended invitations to the study item sponsor to present the issue, but the sponsor reported it was not ready for committee discussion.
Tax increment financing	--	--	Committee extended invitations to the study item sponsor to present the issue, but the sponsor reported it was not ready for committee discussion.
Red Items			
Item	Bill/File	Short Title	Notes
Animal shelters: euthanasia	--	--	Committee discussed the issue, but there was significant concern and the committee voted to end the discussion.

Retirement and Independent Entities Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Public Safety and Firefighter death benefits	2018FL-0624/003	Public Safety and Firefighter Amendments	Amends the death benefits payable to a member of the Firefighter Retirement System and a member of Division B in the Public Safety Noncontributory Retirement Act to help eliminate certain disparities in death benefits paid upon death of a member who is retired versus still employed.
URS Technical Review	2018FL-0473/005	Retirement Systems Amendments	Makes technical and administrative changes to keep the Utah State Retirement and Insurance Benefit Act updated.
Public Employee Long-Term Disability	2018FL-0474/005	Public Employees Long-Term Disability Act Amendments	Modifies certain requirements regarding disability benefits for eligible employees established in the Public Employees Long-Term Disability Act.
Health Insurance Right to Shop	2018FL-0027/008	Health Insurance Right to Shop Amendments	Requires the development of a program to reward enrollees in the Public Employees Health Plan for selecting high-quality and low-cost health care providers and encourages the development of such programs by private health insurers.

Yellow Items

Item	Bill/File	Short Title	Notes
Review of retirement system reforms this decade, including Tier II and postretirement reemployment restrictions	--	--	The committee reviewed the purpose of the reforms that led to the creation of the Tier II system and restrictions on postretirement reemployment. The committee did not adopt any legislation making changes to either of these areas, but individual members have expressed interest in pursuing legislation.
Review of DHRM process for determining state employee compensation packages	--	--	The committee received presentations from DHRM regarding the agency's process for market analyses and determining compensation target levels for the many positions within state government. The committee agreed that state employee compensation is an important issue, but did not open a bill file on this issue.

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PEHP STAR Plan versus Traditional Plan	--	--	The committee reviewed with PEHP the differences in structure of the STAR and Traditional Plans offered to state employees. The committee did not open a bill file concerning disparity in costs between the two plans because the chair opened a bill file on this issue.
Should the state's independent entities be required to adopt state policies like state agencies?	--	--	The committee heard from the State Auditor regarding recent audits of independent entities. The committee did not open a bill file, but there was a desire to study the issue further and determine if independent entities need to be governed more similar to state agencies.
Red Items			
Item	Bill	Bill Title	Notes
Update on URS certified contribution rates, funding status, and assumed investment rate of return	--	--	The committee recognized the importance of these issues but did not open a bill file.
Should the Utah Education and Telehealth Network charge public and higher education customers directly via a service fee rather than get funded by the state through the appropriations process?	--	--	The committee discussed the benefits of funding through appropriations versus through a service fee from customers with UETN. The committee did not open a bill file on this issue.

Revenue and Taxation Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Local Option Sales Tax Distribution Formula -- Eligibility Requirements for Hold Harmless	2018FL-0426/011	Local Option Sales and Use Tax Distribution Amendments	The committee discussed whether to eliminate obsolete portions of the formula used to distribute revenue generated by the 1% local option sales tax, with the goal of simplifying the hold harmless component of the formula.
Income Tax Credits for Spouses of Those Serving in the Military	2018FL-0427/005	Military Spouse Income Tax Amendments	The federal government prohibits states from imposing an income tax on certain income of civilians who are married to an active duty member of the military. The Tax Commission's application of the federal prohibition has been more generous than allowed by federal law. This committee bill codifies the State Tax Commission's current practice of exempting all income of civilians who are married to an active duty member of the military if: <ul style="list-style-type: none"> • both spouses are nonresidents; • the military member is stationed in Utah; • the civilian is subject to certain federal residency provisions; and • the income is included in adjusted gross income.
Sales and Use Tax Exemption for Products Purchased for Resale	2018FL-0429/003	Sales and Use Tax Exemption Amendments	This committee bill removes the requirement that products purchased for resale be resold <i>in the state</i> to qualify for a sales and use tax exemption. The Tax Commission asked that the resale-in-this-state requirement be repealed because it is not currently being enforced.
Certified Tax Rate	2018FL-0685/004	Certified Tax Rate Amendments	This committee bill modifies the calculation of the certified property tax rate by adjusting eligible new growth to account for collection rates over the previous five years. This adjustment has previously been required by a Tax Commission rule. However, due to a lack of authority to promulgate the rule, the Tax Commission recently repealed its rule.
Build America Bonds	2018FL-0430/004	Individual Income Tax Deduction Amendments	This committee bill provides a reference in the Tax Code for an income tax deduction related to certain bonds, notes, and other local obligations. Currently, the deduction is authorized and referenced only in the Cities, Counties, and Local Taxing Units Code.

Yellow Items			
Item	Bill/File	Short Title	Notes
Tax Reform	2018FL-0425/012	Tax Reform	<p>The committee discussed guiding principles for tax reform and considered several bill drafts. At the final meeting, the committee considered a single tax reform bill that included the following elements:</p> <ul style="list-style-type: none"> • Minimum Basic Property Tax Rate freeze at .001600 • Uniform .0025 cap for School Board Local Levy • Truth-in-taxation newspaper ad changes • Corporate franchise and income tax obligation (nexus) • Elimination of net operating loss (NOL) carry back • Corporate apportionment and single sales factor • Accountability for income tax credits • Expansion of the manufacturing sales tax exemption • Sales taxation of streamed media and amusement devices • Registration fees and road usage charge program for electric vehicles • Income tax credit for purchase of electric vehicles • Property taxation of business personal property <p>Some of the elements listed above had strong support from committee members while committee support for other elements was unclear. The chairs would like direction from legislative leadership about whether items should move forward on their own or as part of a more comprehensive bill.</p>
Local Tax Revenue for Homeless Services	--	--	The committee discussed methods to determine how much money each local government should contribute to providing homeless services, including a method that would base contribution amounts on how much affordable housing is located within a local government's jurisdiction.
Access to Income Tax Data by Legislative Staff	--	--	Limited access to income tax data restricts the ability of legislative staff to evaluate the effectiveness of income tax credits and provide accurate fiscal information. Access is limited by state statute and federal regulations. The Legislature and the State Tax Commission will continue to discuss what level of access is currently allowed and whether state statute can be modified to allow additional access.



Red Items			
Item	Bill/File	Short Title	Notes
Removing the State Income Tax on Military Disability Payments	--	--	This issue does not require legislation at this time. The committee determined that military disability income that is not taxed at the federal level is also not taxed by Utah and that most military disability income is exempt from taxation by the federal government.

Health and Human Services Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Cannabis	2018FL-0419/004	Cannabinoid Product Board Membership Amendments	Modifies the make-up of the board and requires it to review research on cannabis products with a cannabidiol-to-THC ratio less than 10:1.
Mental Health	2018FL-0796/005	Competency to Stand Trial Amendments	Amends the Utah Code to reflect the provisions of a recent settlement agreement entered into by the state and the Disability Law Center. The agreement specifies limits on the amount of time an individual charged with a crime but declared incompetent to proceed must wait to receive competency restoration services.
Medicaid – Family Planning	2018FL-0448/006	Medicaid Family Planning – Family Planning Services Amendments	Requires the Department of Health to seek a federal Medicaid waiver authorizing the creation of a four-year pilot program to extend Medicaid family planning services to individuals not otherwise eligible for Medicaid. Also requires state’s Medicaid program to separately pay for long-acting reversible contraception provided at the time of childbirth, apart from other services provided at the time of birth.
Sunset Review: Autism Coverage	2018FL-0392/003	Autism Insurance Coverage Sunset Amendments	Removes from the Legislative Oversight and Sunset Act a provision requiring health insurance plans sold in the state’s nongroup health insurance market to cover certain autism services.
Statutory Reports	2018FL-0821/005	Health and Human Services Reports	Eliminates four statutorily required reports and creates future repeal dates for 30 others.

Yellow Items

Item	Bill/File	Short Title	Notes
Opioids	--	--	Reviewed a new online tool that uses information from the state’s controlled substance database to help an opioid prescriber assess the risk of prescribing an opioid to a specific patient. Also received a report on other efforts to increase utilization of the database and improve prescribing behavior.
Healthcare Reform	--	--	Examined the structure and performance of the United States and Utah healthcare systems. Also received reports from The Commonwealth Fund, Intermountain Healthcare, and University

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			of Utah Health, which highlighted lessons to be learned and recommendations for reform.
Skilled Nursing Facilities	--	--	Briefed by the Utah HealthCARE Association on the rationale for the state’s moratorium on the construction of skilled nursing facilities.
MMIS	--	--	Received an update from the Department of Health on its ongoing project to replace the Medicaid program’s management information system. At the time of the update, the department was evaluating whether the state should join a multistate consortium that will provide cloud-based data processing from a data center in Michigan. The department reported the cloud-based solution could reduce state costs from 2016 to 2026 by more than \$23 million.
EDEN	--	--	Briefed by the Department of Health on an online system that expedites the process for recording a death certificate prior to the transport or disposition of a person’s remains. The department was encouraged to increase the use of EDEN by educating physicians over the next several months.
Step Therapy		--	Received input from health insurers and others on legislation considered during the 2017 General Session that would have required a health insurer who uses a step therapy protocol to authorize bypass of one or more drugs in the protocol under certain conditions.
Utah Healthcare Providers – Comparison of Cost, Quality, and Safety	--	--	Received a report from the Department of Health on five measures used to compare the quality of Utah healthcare clinics with five or more providers. The measures highlight significant opportunities for improvement.

Red Items

Item	Bill/File	Short Title	Notes
None			

Transportation Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Transportation Governance and Funding Task Force Issues	--	--	The committee received periodic updates from the task force and opened two bill files for the task force. However, the task force did not have any bills drafted in time for the November Interim meeting, so the Transportation Committee did not vote on any task force bills. The Chairs of the task force will sponsor legislation advancing the recommendations of the task force.
Transportation Safety Program	2018FL-0811/003	Transportation Safety Program Funding Amendments	Creates a restricted account to receive donations and contributions for certain traffic safety education and outreach programs administered by UDOT.
Mineral Lease Distribution	2018FL-0810/006	Mineral Lease Distribution Amendments	Transfers the responsibility to distribute certain funds in the Mineral Lease Account from UDOT to the Division of Finance.
Road Closures	H.B. 1002	Road Closure Amendments	The committee expressed support for this special session bill that allows for local highway authorities to close a road in certain circumstances.
UDOT-Contractor Settlement Agreement	S.J.R. 101	Joint Resolution Approving the Flatiron/Harper Joint Venture Proposed Settlement Agreement	The committee expressed support for this special session resolution that approves a proposed settlement between UDOT and a contractor.

Yellow Items

Item	Bill/File	Short Title	Notes
Autonomous Vehicles	--	--	The committee spent portions of two meetings hearing from industry and government experts regarding the rapid advancement of autonomous vehicle technology. Additionally, the committee held an off-site meeting at USU seeing some of the technology in person. The committee did not vote on a bill, but generally supports clarifying Utah code to allow for the use, testing, and development of autonomous and connected vehicles in the state.
Municipal Transportation Utility Fees	--	--	The Transportation Governance and Funding Task Force determined that no new legislation was needed, and cities

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			should be allowed to use transportation utility fees at their discretion.
0.05% DUI Issues	--	--	The committee studied the unintended consequences of lowering the legal limit for Blood Alcohol Content (BAC) from 0.08% to 0.05% for a DUI violation. Although certain aspects of 2017 HB 155 could be reconsidered, there was not consensus from the committee to amend the law.
Red Items			
Item	Bill/File	Short Title	Notes
Nighttime Construction Issues	--	--	The committee chairs elected not to study this item.

Economic Development & Workforce Services Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Governor's Office of Economic Development Streamlining	2018FL-0691/004	Office of Economic Development Amendments	This item was requested by the Governor's Office of Economic Development. The Office proposed changes to its structure that would allow the office to focus on fulfilling its core mission and vision. The committee recommended this bill.
Enterprise Zone Act	2018FL-0690/002	Enterprise Zone Sunset Amendments	The committee conducted a sunset review of the Enterprise Zone Act and unanimously recommended draft legislation to extend the sunset date of the Act to 2028.

Yellow Items

Item	Bill/File	Short Title	Notes
State Economic Development Strategy - Non-tax credit economic development factors and incentives	--	--	Received presentations from non-profit organizations in the state involved in the tech startup community. Discussed potential avenues for Utah Fund of Funds to be involved in promoting startup activity, but more study is needed to identify specific legislation.
State Economic Development Strategy - Economic development tax incentive evaluation methods	--	--	Discussed economic development tax incentive evaluation methods used in other states and research by the PEW Center on the States. General consensus was reached that Utah needs to continue to improve its evaluation methods, but more study is needed to identify specific legislation.
Point of the Mountain Development Commission Update	--	--	Received an update from the Commission chairs regarding the work completed to date. General consensus was reached that the commission should continue to perform its statutorily defined responsibilities.
Affordable Housing - Transit oriented development	--	--	This item was not discussed because the program it was meant to review was not funded by the Legislature.
Affordable Housing - Landlord	--	--	Received an update on the program. No data was yet available to assess the effectiveness of the program.

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reimbursement program			
Affordable Housing - Community Reinvestment Agency set-asides for affordable housing	--	--	Received presentations regarding this issue from various stakeholders. No clear consensus was reached regarding the costs or benefits of the provision. Additional study is needed to identify potential legislation.
Economic impact of workforce policies - Viability of raising the minimum wage in Utah (H.B. 14, 2017 General Session)	--	--	Received presentations regarding this issue from various stakeholders. The committee requested that the stakeholders return with specific requests for the Legislature. The committee has not yet received specific requests for legislation.
Red Items			
Item	Bill/File	Short Title	Notes
Temporary Assistance for Needy Families (TANF) block grants	--	--	Received presentations regarding this issue from various stakeholders. No proposed legislation was identified.
Affordable Housing - Community Development Block Grants (CDBG)/Down payment assistance	--	--	Received presentations regarding this issue from various stakeholders. No proposed legislation was identified.
Intergenerational poverty - Opportunities for collecting and studying new data to provide insights and policy recommendations	--	--	This item was not discussed. The committee was unable to identify the legislator who requested that it be included as a study item.

Education Interim Committee

Green Items

Item	Bill/File	Short Title	Notes
Recodification of the public education code	2018FL-0397/008	Public Education Recodification – State System	Opened four committee bill files to reorganize and renumber Title 53A into Titles 53E, 53F, and 53G and amend cross references in other parts of the code. The committee voted to approve these four bills as committee bills.
	2018FL-0398/011	Public Education Recodification – Funding	
	2018FL-0399/008	Public Education Recodification – Local Administration	The committee’s intent, as previously discussed with the majority and minority caucuses, is for these committee bills to pass with an immediate effective date and be signed by the governor during the first week of the 2018 Legislative General Session, so that all other education bills can be numbered and introduced in the new code structure. (this item was discussed in May, June, September, and November)
	2018FL-0560/003	Public Education Recodification – Cross References and Repeals	
Statewide goals and outcome metrics for education from preschool through advanced degrees and careers (P-20)	--	No committee bill; however, the Public Education Appropriations Subcommittee approved a motion to include applicable measures in the public education base budget.	Received presentations from the State Board of Education, the Utah System of Higher Education, the Utah System of Technical Colleges, and the Governor’s Office. Committee chairs worked with stakeholders throughout interim to develop and refine goals and metrics, with periodic reports to the committee. The Education Interim Committee voted to support the statewide goals and metrics as an initial step for creating a P-20 statewide dashboard through the Utah Data Research Center, within the Department of Workforce Services. (this item was discussed in May, June, September, and November)
Educator Licensing	2018FL-0965/003	Educator Licensing Modifications	Received a presentation from the State Board of Education regarding recommendations on changes to educator licensure

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	2018FL-0785-011	Educator Licensing Revisions	<p>based on findings from a State Board of Education task force, and opened a committee bill file.</p> <p>The committee then approved two committee bills that are based on the recommendations. The two committee bills include the same substantive amendments, but one is drafted in the current code structure and one is drafted in the new organizational structure that will be enacted if the recodification is enacted into law.</p> <p>(this item was discussed in September and November)</p>
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Yellow Items

Item	Bill/File	Short Title	Notes
School leader (principal) preparation and development	--	No committee bill; however, based on the discussion of this study item, the State Board of Education created a task force to address this issue.	<p>Held two full-day meetings with stakeholders, and developed proposed steps forward.</p> <p>(this item was discussed on Sept. 13, 2017, and Nov. 1, 2017)</p>
Accountability – report from the State Board of Education on a criteria-based rating system for schools and a school performance dashboard, as required in 2017 S.B. 220	--	--	<p>Received a report from the State Board of Education and sent a letter to legislative management indicating that the committee supports the work the board has done. No legislative actions at this time, but the committee will continue to monitor implementation of assessment and accountability.</p> <p>(this item was discussed in September)</p>
Teacher compensation	--	--	<p>Discussed in committee, but did not take action.</p> <p>(this item was discussed in August)</p>
Use of technology in schools, including the Digital Teaching and Learning Grant Program	--	--	<p>Discussed briefly in committee, but primarily studied in the Public Education Appropriations Subcommittee.</p> <p>(this item was discussed in June)</p>

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Innovative funding models and local decision-making	--	--	Discussed in the Public Education Appropriations Subcommittee instead of in the Education Interim Committee. (this item was not discussed)
Red Items			
Item	Bill/File	Short Title	Notes
None			

Natural Resources, Agriculture, and Environment Interim Committee

Green Items

Item	Bill/file	Short Title	Notes
Legislative Water Development Commission	2018FL-0405/003	Legislative Water Development Commission Amendments	The committee approved draft legislation that removes the Water Development Commission's repeal date from the Sunset Act and authorizes the commission to meet up to six times per calendar year if approved by the Legislative Management Committee.
Environmental Health Scientists	2018FL-0417/002	Environmental Health Scientist Act Amendments	The committee approved draft legislation that modifies qualifications for licensure of environmental health scientists and extends the sunset date of the licensing act for a period of 10 years.
Underground Storage Tanks	2018FL-0384/005	Underground Storage Tank Act Amendments	The committee approved draft legislation that requires a person who applies for a loan from the Petroleum Storage Tank Trust Fund to upgrade or replace an underground storage tank to participate in the Environmental Assurance Program. Maximum fund loan amounts are increased and the repeal date for the Underground Storage Tank Act is extended.
Instream Flow Water Right for Trout	2018FL-0997/003	Water Right for Trout Habitat Repeal Date Extension	The committee approved draft legislation that extends the sunset date of instream flow water rights for trout habitat for one year.

Yellow Items

Item	Bill/File	Short Title	Notes
Agricultural Code Recodification – Follow Up	--	--	The committee discussed the 2017 recodification of the Agricultural Code and possible follow up changes to the Wholesome Food Act and Dairy Act.
Bountiful Air Toxics Study	--	--	The committee discussed a Division of Air Quality study on air toxics monitoring in Davis County.
Brian Head Fire	--	--	The committee viewed a video, prepared by committee member, on the causes and consequences of the 2017 Brian Head wildfire.
Conservation Commission	2018FL-0674/010	Conservation Commission Amendments	The committee did not approve this legislation, although the sponsor will introduce similar changes in the 2018 General Session.
Exchange of SITLA Lands	--	--	The committee discussed the possible exchange of SITLA lands surrounded by federally controlled lands, for federally

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			controlled lands in other areas where the exchange could benefit Utah’s school children.
Regulation of Above-Ground Storage Tanks	--	--	The committee discussed possible regulation of above-ground storage tanks. The Division of Environmental Response and Remediation reported on selected above-ground tank leaks, reviewed regulation options, and discussed regulation in other western states.
State Water Advisory Team	--	--	The committee heard a report from the State Water Strategy Advisory Team outlining recommendations on water issues, including conservation, demand, development, quality, natural system preservation, climate change impact, economic impact, policy formulation, and innovation.
Utah State Parks	--	--	The committee discussed the possible establishment of state park facilities at the Hole in the Rock area, Little Sahara recreation area, and the Jordan River. The committee also discussed the expansion of offerings and capacity at existing parks and the need to maintain current facilities.
Utah Lake Management	--	--	The committee visited Utah Lake and discussed wastewater infrastructure, water quality research, the role of publicly owned sewage treatment plants, and nutrient pollution in Utah Lake.
Waste fees	--	--	The committee discussed waste fees for the treatment, transfer, and disposal of nonhazardous solid waste. The committee also discussed potential legislation that would modify the waste fee evaluation process.
Wild Horses and Burros	--	--	The committee discussed the impact of wild horses and burros on healthy range land and ways to promote more forage and feed available to livestock and wildlife.

Red Items

Item	Bill/File	Short Title	Notes
None			