



INTERIM HIGHLIGHTS

Office of Legislative Research
and General Counsel

Office of the Legislative
Auditor General

NOVEMBER INTERIM COMMITTEES

Business and Labor

STUDIES:

- Discussed the drafting of legislation dealing with receivership of insurers.
- Studied draft legislation “Master Plumber Licensing” which creates the new licensing classifications of “master plumber” and “residential master plumber.”

REPORT:

- Received a report from the co-chairs on the completion of the two-year Privately Owned Health Care Organization Task Force.

*Chairs: Sen. Scott K. Jenkins / Rep. Stephen D. Clark
Staff: Allison Morgan (analyst)/Patricia Owen (attorney)/Phalin Flowers (secretary)*

Education

REPORTS:

- Received a sunset report on the Public Education Revenue Bond Act that recommended the act be allowed to sunset.
- Received reports on:
 - the Engineering and Computer Science Initiative;
 - the Public Education Job Enhancement Program;
 - applied technology education for secondary students;
 - the Utah College of Applied Technology; and
 - the Progression Development Pilot Program.

ACTIONS:

- Received a sunset report and voted to reauthorize Section 53A-1-404.5, Education of Persons in the Custody of the Department of Corrections, for a period of five years.
- Adopted an Education Interim Committee resolution endorsing a plan for the full revision of math standards by the State Board of Education and directed that the resolution be sent to the State Board of Education.

*Chairs: Sen. Howard A. Stephenson / Rep. Margaret Dayton
Staff: Constance Steffen & Phillip Dean (analysts)/Dee Larsen (attorney)/Glenda Whitney (secretary)*

Government Operations

ACTION:

- Received a report from the International Trade Commission on its activities and voted to extend the sunset date of the Commission for ten years, to July 1, 2017.

*Chairs: Sen. Parley Hellewell / Rep. Douglas C. Aagard
Staff: Benjamin Christensen (analyst)/Eric Weeks (attorney)/Brooke Ollerton (secretary)*

Health and Human Services

STUDY:

- Considered draft legislation “Utah Suicide Prevention Act” which would create a task force to develop a statewide suicide prevention plan.

REPORTS:

- Received a report on the status of the Governor’s Initiative on Health Insurance for the Uninsured.
- Received a briefing on the role of the Office of the Public Guardian.
- Received a briefing from the March of Dimes about the Utah Birth Defects Network.

ACTION:

- Conducted a sunset review of the statutory provisions regarding foster care citizen review boards and voted to reauthorize the provisions until July 1, 2012.

*Chairs: Sen. Allen M. Christensen / Rep. Bradley G. Last
Staff: Mark Andrews (analyst)/Catherine Dupont, Thomas Vaughn (attorneys)/Joy Miller (secretary)*

IN THIS ISSUE:

Pages 1-3: November Interim Committees

3: Legislative Leadership Elections

4: Legislative Management Committee

Insert: Recommended Legislation

Judiciary

STUDIES:

- Received an update from committee staff regarding the recodification of Title 78, Judicial Code.
- Discussed the public policy of allowing hospitals to place liens on a patient's assets to secure payment.

REPORTS:

- Received a report from the Child Welfare Legislative Oversight Panel, which recommended that the Legislature consider a budget increase of \$1.7 million to fund 11 full-time attorneys, 5.5 secretaries, 5 paralegals, and 1 court-appointed special advocate coordinator.
- Received a report from the Department of Corrections and the Commission of Criminal and Juvenile Justice regarding the implementation and effectiveness of sex offender treatment and the results of ongoing assessment and objective diagnostic testing.

Chairs: Sen. David L. Thomas / Rep. James A. Ferrin

Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Brooke Ollerton (secretary)

Law Enforcement and Criminal Justice

STUDIES:

- Discussed statutory changes necessary for Utah to comply with the federal "Adam Walsh Child Protection and Safety Act of 2006" and the effect of these provisions on juveniles in the custody of the state.
- Considered issues relating to court-appointed child custody evaluations, particularly in cases that involve domestic violence.

REPORT:

- The Utah Department of Corrections presented a longitudinal study of sex offender recidivism from 1979 through 2006.

ACTION:

- Voted to reaffirm support for a 4-step salary increase for dispatchers employed by the Department of Public Safety.

Chairs: Sen. D.C. Buttars / Rep. DeMar "Bud" Bowman

Staff: Stewart E. Smith (analyst)/Susan Creager Allred (attorney)/Wendy Bangertner (secretary)

Medicaid

STUDIES:

- The committee studied the following possibilities for reducing Medicaid growth:
 - (1) consolidating eligibility determination functions;
 - (2) limiting Medicaid reimbursement for outpatient services to Medicare rates;
 - (3) implementing a limited preferred drug list;
 - (4) increasing funding for in-home and community-based services; and
 - (5) providing more efficient mental health services.

Chairs: Sen. Sheldon L. Killpack / Rep. Merlynn T. Newbold

Staff: Mark Andrews (analyst)/Leif Elder (analyst)

William Greer (fiscal analyst)/Derek Byrne (fiscal analyst)

Stan Eckersley (fiscal analyst)/Debbie Headden (fiscal analyst)

Thomas Vaughn (attorney)/Catherine Dupont (attorney)/Phalin Flowers (secretary)

Natural Resources, Agriculture, and Environment

STUDIES:

- Discussed potential energy legislation as proposed by the Energy Policy Workgroup and by the governor's energy advisor.
- Discussed the Utah state trails system and funding needed for the continued development of the Jordan River Parkway.

REPORTS:

- Received a report from the Water Issues Task Force on its studies and recommended legislation.
- Received a report and recommendations from the Solid and Hazardous Waste Control Board and the Radiation Control Board on financial assurance for, and funding of, the closure, post-closure, and perpetual care of commercial hazardous waste and commercial radioactive waste disposal facilities.

ACTIONS:

- Voted to reject the recommendations the Solid and Hazardous Waste Control Board and the Radiation Control Board to: a) require perpetual care funding for hazardous waste disposal facilities; and b) modify perpetual care funding for radioactive waste disposal facilities.
- Voted to recommend that legislation be prepared to repeal the requirement that radioactive waste disposal facilities provide perpetual care funding.

Chairs: Sen. Dennis Stowell / Rep. Roger E. Barrus

Staff: Brian Allred (analyst)/Emily R. Brown (attorney)/Joy Miller (secretary)

Revenue and Taxation

REPORT:

Received a report from the Utah State Tax Commission regarding income tax credits and contributions included on the individual income tax return. The commission reported that no income tax credits are scheduled to be removed from the income tax return and that the contribution for the Utah College of Applied Technology will be dropped from the return beginning in the 2007 tax year.

ACTIONS:

- Recommended that if a legislative Special Session is called before the 2007 General Session, that draft legislation "Uniform Fees on Property Amendments - Mailing Requirement" be placed on the call.
- Voted that the sunset requirement for the Homeless Trust Account be removed from the Sunset Act in the 2007 General Session.

Chairs: Sen. Curtis S. Bramble / Rep. Wayne A. Harper

*Staff: Bryant Howe & Phillip Dean (analysts)/Rebecca Rockwell & Angela D. Oakes (attorneys)
Phalin Flowers (secretary)*

Political Subdivisions

STUDIES:

- Reviewed issues related to optional forms of government and considered repeal of Section 10-3-830. Title 10, Chapter 3, Part 12, Optional Forms of Municipal Government Act, provides for several "optional forms of municipal government." However, Section 10-3-830 allows a city council to establish by ordinance a "manager form of government" and recently several municipalities have changed their government using Section 10-3-830.
- Reviewed draft legislation regarding inspection of school construction that was approved in concept at the October meeting.

REPORT:

- The Quality Growth Commission presented its annual report on the state of quality growth in Utah.

Chairs: Sen. Carlene M. Walker / Rep. Brad L. Dee
Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Wendy Bangertner (secretary)

Public Utilities and Technology

STUDY:

- Discussed a Utah State University study regarding the economic impact of wind energy projects in Utah County.

REPORTS:

- Received a report on the co-generation of electric power and the efficiencies of different processes. In each of the examples, when co-generation is part of the process, energy waste in the production of electric power dropped from a 60% loss with coal alone to only 10% with a combined cycle, gas turbine, co-generation facility.
- Received a report on federal legislation, H.R. 5252 and S. 2686, regarding federal telecommunication reform creating a national cable franchise process.
- Received a report on the recent stipulated three-year agreement between Questar Gas Company and state regulatory entities regarding the conservation enabling tariff.
- Received a report on the use of integrated gasification combined cycle technology, including costs and efficiencies.
- Received a report and recommendations from the Energy Policy Workgroup on a number of policy recommendations, including energy efficiencies of buildings and state fleets.

Chairs: Sen. Gregory S. Bell / Rep. Sheryl L. Allen
Staff: Richard North (analyst)/Christopher Parker (attorney)/Tracey Fredman (secretary)

Transportation

ACTION:

- The committee considered and acted on proposed legislation. (See "Recommended Legislation" insert.)

Chairs: Sen. Sheldon L. Killpack / Rep. Joseph G. Murray
Staff: Mark Steinagel (analyst)/Shannon Halverson & Christopher Parker (attorneys)
Tracey Fredman (secretary)

Workforce Services & Community and Economic Development

REPORTS:

- Received a report from the Department of Community and Culture on the digitization of its art and cultural collections.
- Received an unemployment insurance report from the Department of Workforce Services, including tax rate calculations, the Unemployment Trust Fund reserve factor and social cost calculation, and unemployment insurance benefits paid versus contributions paid.

Chairs: Sen. John W. "Bill" Hickman / Rep. David N. Cox
Staff: Art Hunsaker (analyst)/Jim Wilson (attorney)/Glenda Whitney (secretary)

Legislative Leadership Elections

On November 10, 2006, the Legislature conducted leadership elections. The results are below:

Senate

President:	John L. Valentine
Majority Leader:	Curtis S. Bramble
Majority Whip:	Dan R. Eastman
Asst. Majority Whip:	Sheldon Killpack
Minority Leader:	Mike Dmitrich
Minority Whip:	Gene Davis
Asst. Minority Whip:	Ed Mayne
Minority Caucus Mgr.:	Patricia W. Jones

House

Speaker:	Greg J. Curtis
Majority Leader:	David Clark
Majority Whip:	Gordon E. Snow
Asst. Majority Whip:	Brad L. Dee
Minority Leader:	Ralph Becker
Minority Whip:	Brad King
Asst. Minority Whip:	Carol Spackman Moss
Minority Caucus Mgr.:	David Litvack

Legislative Management Committee

REPORT:

- Received a recommendation from Dr. Dianne Nielson, Executive Director, Department of Environmental Quality (DEQ) regarding the financial settlement with Private Fuel Storage (PFS) and the Skull Valley Band of Goshute Indians.

ACTION:

- Recommended that the DEQ execute the financial settlement agreement with PFS for \$775,000 and with the Skull Valley Band of Goshute Indians for \$68,795.44.
- Authorized all appropriations subcommittees to hold meetings on January 10, 2007 in preparation of the 2007 General Session.
- Approved December 4, 2006 and January 4, 2007 as authorized legislative meeting dates for new legislators to attend a Legislative Orientation.
- Authorized the Natural Resources, Agriculture, and Environment Interim Committee to: 1) conduct a site visit to the Snake Valley area of western Utah to study the proposed ground water transfer to Clark County, Nevada and; 2) receive a presentation from the Department of Natural Resources on the state trail system.
- Approved a request from the Education Appropriations Subcommittee to hold an additional meeting.

- Approved the actions of the interim committees regarding the sunset re-authorizations and repeals and directed staff to prepare a sunset bill reflecting these recommendations for the 2007 General Session.
- Approved a policy for commercial and free speech activities in the House Building.
- Approved the following procedures followed by the Office of Legislative Research and General Counsel in providing legislative review notes and constitutional review letters:
 - (1) Eliminate the review note language from bills that do not have a high probability of being held unconstitutional.
 - (2) Add to bills that do receive a legislative review note an educational paragraph about what the note means and does not mean; and
 - (3) To request an in-depth constitutional review letter, a legislator is required to obtain written approval for the request from the majority leader of the legislator's house, if the legislator is a member of the majority party, or from the minority leader, if the legislator is a member of the minority party. A copy of the approved request must also be sent to the Speaker or the President.

For more information about legislative activities, visit the Utah State Legislature's website at: www.leg.utah.gov
 Editors: Susan CRAIGER Allred & Stewart E. Smith
 Office of Legislative Research and General Counsel

RETURN SERVICE REQUESTED

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RECOMMENDED LEGISLATION FOR THE 2007 GENERAL SESSION

Business

- *Deceptive Trade Practices Amendments
- *Disaster Recovery Funding Impact of Administrative Rules on Small Businesses
- *House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report
- *Lending Registration Acts
- *Occupational and Professional Licensure Committee Professional Employer Organization Related Amendments
- *Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report
- *Technical Amendments to Assumption of Indebtedness on Residential Real Property
- *Warranty Deed - Technical Amendments
- Workers' Compensation Fund - Board Amendments

Education

(No committee bills)

Government Operations

- *Election Law Amendments
- Election Law Revisions
- *Lobbyist Disclosure Technical Amendments
- *Notary Public Revisions
- Observing Juneteenth Day By the State
- Open and Public Meetings Act Amendments
- *Referendum - Signature Verification Procedures

Health and Human Services

- *Adoption Amendments
- Controlled Substance Database Amendments
- Designated Mental Retardation Professional Amendments
- Emergency Administration of Epinephrine
- Exploitation of a Vulnerable Adult Amendments
- Health Care Cost and Quality Data
- *Pilot Program for Day Support Services
- *Pilot Program for Family Preservation Services
- Probate Code Amendments
- *Public Health Amendments
- *Utah Commission on Aging

Judiciary

- Child Support Bond
- Child Support Collection Amendments
- Child Support Guidelines
- Comparative Negligence Amendments
- *Domestic Violence and Dating Violence Amendments
- Driver License Privilege Suspension for Failure to Pay Child Support
- Expedited Parent-Time Enforcement
- *Material Harmful to Minors Amendments
- Motor Vehicle Insurance Arbitration Amendments

Law Enforcement and Criminal Justice

- *Concealed Weapons Fees Amendments
- *Driver License or Identification Card Requirement for Sex Offenders
- *Internet Sexual Predator Penalties
- *Mortgage Fraud
- *Organized Retail Theft

Native American Legislative Liaison Committee

- *Navajo Revitalization Fund

Natural Resources, Agriculture, and Environment

- *Department of Natural Resources Amendment
- Joint Resolution Regarding Action on Groundwater in Snake Valley
- *Nonprofit Corporation Amendments
- *State Declaration of State Water Week
- *Use of State Engineer Fees

Political Subdivisions

- Special and Local Districts Amendments
- *Creation of New School District Amendments
- *New School District Leeway Retention

Public Utilities and Technology

- *Renewable Energy Tax Credit

Retirement and Independent Entities

- Health Care Cost and Quality Data
- Post-retirement Benefits Trust Fund
- Public Safety Retirement Conversion Window
- Workers' Compensation Fund - Board Amendments
- Additional State Retirement Benefit
- Retirement Office Amendments

** Bills recommended at the November interim meeting*

RECOMMENDED LEGISLATION FOR THE 2007 GENERAL SESSION (Continued)

Revenue and Taxation

- *Cigarette and Tobacco Tax Licensing Amendments
- *Fuel Tax Bonding Requirement
- *Income Tax Additions and Subtractions for Higher Education Savings
- *Individual Income Tax Subtractions for Insurance Relating to Medical Care
- *Property Tax Exemption for Personal Property
- *Resolution Regarding Permanent State Trust Fund
- *Sales and Use Tax - Common Carriers
- *Sales and Use Tax Exemption for Authorized Carriers
- *Sales and Use Tax Exemptions for Certain Governmental Entities and Entities within the State Systems of Public and Higher Education
- *Sales and Use Tax Exemptions for Certain Property Brought into the State
- *Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State
- *Sales and Use Tax Modifications
- *Tax Credits for Alternative Power Generation
- *Tax Penalty Amendments
- *Tourism, Recreation, Cultural, and Convention Facilities Tax Amendments
- Uniform Fees on Property Amendments - Mailing Requirement
- *Use of Oil and Gas Revenues

Transportation

- *Commercial Driver License Amendments
- * Driver License and ID Card - Sunset of Race Checkoff Provisions
- * Driver License Fee Amendments

Driving Under the Influence Amendments

- * Funding For Purchase of State Highway Rights of Way
- * Required Headlight Use on Vehicles
- * State Highways Amendments
- * Traffic Code Amendments
- Traffic Code Revisions
- Uninsured Motorist Identification Database Program Amendments

Utah Tax Review Commission

Sales and Use Tax Exemptions for Certain Property Brought into the State

Water Issues Task Force

Nonprofit Corporation Amendments
Use of State Engineer Fees
State Declaration of State Water Week

Workforce Services and Community and Economic Development

Employment Security Act Amendments
*Employment Support Act - Technical Changes
Family Employment Program Amendments
*Industrial Assistance Fund Amendments - Rural Fast Track Program
*Resolution Urging Congress to Address Social Security Number Identity Theft
Utah Athletic Foundation Resolution
Unemployment Compensation - Social Security Offset
*Workforce Services' Work Experience or Training Programs
*Workforce Services - Reporting Misuse of Personal Identifying Information

** Bills recommended at the November interim meeting*