



INTERIM HIGHLIGHTS

Office of Legislative Research
and General Counsel

Office of the Legislative
Fiscal Analyst

Office of the Legislative
Auditor General

INTERIM COMMITTEE ACTIONS

Business and Labor

REPORT: Received a report from the Department of Financial Institutions regarding the status of the financial institutions industry in Utah including an update of federal activity affecting financial institutions operating in Utah.

STUDY: Studied the adequacy of the distinguishable standard established by statute for accepting business names for filings with the Division of Corporations and Commercial Code, including which notices should be provided to persons filing business names.

ACTION: Reviewed occupational licenses and certifications for professional engineers and land surveyors, occupational therapists, and dieticians and recommended extension of these licenses and certifications for ten years.

*Chairs: Sen. Parley Hellewell/Rep. Katherine M. Bryson
Staff: Mark Steinagel (analyst)/Patricia Owen (attorney)/Tracey Fredman (secretary)*

Education

STUDIES:

- Received a presentation from the Utah State Office of Education on the U.S. Department of Education's responses to Utah's requests for flexibility in implementing the No Child Left Behind Act.
- Previewed plans under development by the State Board of Education to identify schools not achieving acceptable state-established levels of student performance.

ACTION: Approved a motion to request the Utah State Office of Education to notify the U.S. Department of Education in writing that Utah fully and unconditionally reserves all objections and defenses to enforcement of the No Child Left Behind Act while Utah proceeds on a best efforts basis to comply with the act.

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

IN THIS ISSUE:

Pages 1-2: Interim Committee Actions

Page 3: NCSL Annual Meeting Schedule

Page 4: Legislative Management Committee

Government Operations

REPORT: Received a report on the state's efforts to implement the Help America Vote Act and other election issues facing Utah.

STUDY: Discussed a survey of state advisory boards and criteria for evaluating these boards for possible repeal or consolidation. The committee directed staff to move forward with the survey.

ACTION: Conducted a sunset review of the Legislative Process Committee and voted to eliminate the sunset date.

*Chairs: Sen. John W. Hickman/Rep. James A. Ferrin
Staff: John Cannon (analyst)/John Fellows (attorney)/Cassandra Bauman (secretary)*

Health and Human Services

STUDIES:

- Continued a statutorily required review of legislation passed in 2000 requiring health insurers to offer mental health benefits to employers with two to 50 employees.
- Considered draft legislation that requires a pharmacist to dispense a generic drug in substitution of another drug if the generic is less expensive than and therapeutically equivalent to the prescribed drug.

ACTION: Adopted a schedule of interim study topics.

*Chairs: Sen. Sheldon Killpack/Rep. Mike Thompson
Staff: Mark Andrews (analyst)/Catherine Dupont (attorney)/Joy Miller (secretary)*

Judiciary

REPORTS:

- Received a report regarding the effectiveness of mediation in resolving divorce issues.
- Received a report concerning a performance audit of the Administrative Office of the Courts.
- Received a report requesting committee endorsement of legislation addressing the division of property in divorce cases by amending alimony and child support statutes.

*Chairs: Sen. David L. Gladwell/Rep. Ben C. Ferry
Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Cassandra Bauman (secretary)*

Law Enforcement and Criminal Justice

STUDIES:

- Discussed clarifying functions of the Division of Youth Corrections by recodifying relevant provisions of the Utah Code.
- Discussed issues related to training for instructors of concealed weapons courses, including the adequacy of training provided to concealed carry weapon permit holders and applicants.
- Discussed the Department of Public Safety's current tow truck rotation program and the necessity for clearing traffic accidents promptly to maintain the flow of traffic.

Chairs: Sen. D. Chris Butters/Rep. DeMar "Bud" Bowman
Staff: Jami Momberger (analyst)/Susan Creager Allred (attorney)/Wendy Bangerter (secretary)

Natural Resources, Agriculture, and Environment

REPORTS:

- The Governor's staff explained a new plan to resolve wilderness and public land disputes in Utah.
- The state veterinarian and the Division of Wildlife Resources discussed efforts to prevent animal diseases such as West Nile virus, bovine spongiform encephalopathy, and chronic wasting disease.

ACTION: The United States Bureau of Reclamation, the Utah Reclamation Mitigation and Conservation Commission, and the Utah Department of Natural Resources discussed the use of eminent domain for recreation purposes. The committee passed the following motions: 1) opposing the use of eminent domain to acquire private property for fishing, hunting, and recreation access; 2) directing the chairs to send a letter to the Governor, Lieutenant Governor, the Department of Natural Resources, and the Division of Wildlife Resources expressing the committee's position on eminent domain; and 3) directing the chairs to meet with the Lieutenant Governor to discuss the issue.

Chairs: Sen. Beverly Evans/Rep. Craig W. Butters
Staff: Brian Allred (analyst)/Jeanenne Larson (attorney)/Joy Miller (secretary)

Political Subdivisions

STUDIES:

- Discussed whether to amend the Utah Code to formalize the seven Associations of Governments' role as government service providers.
- Received an overview of redevelopment agencies in an effort to increase understanding and to provide a framework for making policy decisions.

Chairs: Sen. Carlene M. Walker/Rep. Kory M. Holdaway
Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Wendy Bangerter (secretary)

Public Utilities and Technology

REPORTS:

- Received a report on the progress of the multi-state cost allocations for electric power utilities. This issue involves allocating costs for new and existing generating assets among the six states served by PacifiCorp, and the related divergent state energy policies.
- Received a report on the status of utility security processes designed to protect physical infrastructure and computer based systems. This report covers Utah and the 13 western states known as the "Western Interconnection."

Chairs: Sen. Leonard M. Blackham/Rep. Stephen H. Urquhart
Staff: Richard North (analyst)/Esther Chelsea-McCarty (attorney)/Phalin Flowers (secretary)

Revenue and Taxation

STUDIES:

- Reviewed providing individual income tax relief to a member of the United States armed services engaged in qualifying military service.
- Reviewed alternative ways to impose uniform fees on boats, travel trailers, off-highway vehicles, and motor homes.

REPORTS:

- Received a report from the Utah State Tax Commission (Tax Commission) on the effective severance tax rate on oil and gas between 1985 and 2004. Also received a report from the Office of the Legislative Fiscal Analyst on its plans to prepare an oil and gas severance tax revenue forecast.
- Received a report from the Tax Commission on determining a revenue neutral rate that municipalities may impose on telecommunications services.

Chairs: Sen. Curtis S. Bramble/Rep. Wayne A. Harper
Staff: Bryant Howe (analyst)/Rebecca Rockwell (attorney)/Phalin Flowers (secretary)

Transportation

STUDY: Participated in a site visit to the Legacy Parkway in Davis County and received an update on the project from the Utah Department of Transportation. The majority of the project is currently suspended for further environmental analysis as ordered by the U.S. 10th Circuit Court of Appeals.

Chairs: Sen. Dan R. Eastman/Rep. Joseph G. Murray
Staff: Benjamin Christensen (analyst)/Shannon Halverson (attorney)/Tracey Fredman (secretary)

Workforce Services & Community and Economic Development

REPORT: Received reports on state and local tourism funding from the hotel, restaurant, and ski industries, the Utah Association of Counties, and the Department of Community and Economic Development.

Chairs: Sen. Scott K. Jenkins/Rep. David N. Cox
Staff: Art Hunsaker (analyst)/Jim Wilson (attorney)/Glenda Whitney (secretary)

National Conference of State Legislatures

2004 Annual Meeting Schedule • Salt Lake City, Utah

SUNDAY 7/18	MONDAY 7/19	TUESDAY 7/20	WEDNESDAY 7/21	THURSDAY 7/22	FRIDAY 7/23
	General & Exhibitor Registration 8:00 am - 5:00 pm Convention Center NCSL Executive Committee, LSCC & International Registration 8:00 am - Noon	Registration 8:00 am - 5:00 pm Bookstore 8:00 am - 5:00 pm Continental Breakfast 7:30 am - 9:00 am Opening Plenary 8:30 am - 10:00 am Exhibit Hall 10:00 am - 4:00 pm	Ancillary Groups 7:00 am - 8:00 am Registration 8:00 am - 5:00 pm Bookstore 8:00 am - 5:00 pm Coffee Service 7:30 am - 8:30 am Standing Cmtes 8:00 am - Noon Exhibit Hall 9:00 am - 4:00 pm	Ancillary Groups 7:00 am - 8:00 am Registration 8:00 am - 5:00 pm Bookstore 8:00 am - 5:00 pm Coffee Service 8:00 am - 9:00 am Concurrent Sessions Staff Sections 8:30 am - 10:30 am Exhibit Hall 9:00 am - Noon Concurrent Sessions Staff Sections 10:45 am - 12:15 pm	Registration 8:00 am - Noon Bookstore 8:00 am - Noon Coffee Service 8:00 am - 9:00 am Plenary Session 8:30 am - 10:00 am
NCSL Executive Cmte, LSCC & International Registration 4:00 pm - 7:00 pm Grand Hotel	NCSL Executive Cmte, LSCC & International Program 10:00 am - 5:00 pm Grand Hotel	Standing Cmtes 10:15 am - Noon Legislative Staff Luncheon Noon - 1:30 pm Democratic Lunch Republican Lunch Noon - 1:30 pm	Exhibit Hall Lunch Noon - 1:00 pm	Staff Sections 12:30 pm - 2:00 pm Lunch provided Legislators' Plenary Luncheon 12:30 pm - 2:00 pm	Business Meeting 10:15 am - 12:15 pm
		Standing Cmtes 1:30 pm - 5:00 pm	Concurrent Sessions 1:15 pm - 3:00 pm Staff Sections 1:15 pm - 5:00 pm Ancillary Groups 3:15 pm - 5:00 pm	Staff Sections 2:15 pm - 5:00 pm Concurrent Sessions 2:15 pm - 3:45 pm Ancillary Groups 4:00 pm - 5:00 pm	
		Welcome Reception Capitol Plaza 6:00 pm - 7:30 pm Temple Square 8:00 pm - 9:00 pm	State Night	Closing Social Event 6:30 pm - 9:30 pm Olympic Oval	

Utah is hosting the National Conference of State Legislatures this year. NCSL meetings and events for approximately 5,600 participants and guests will be held in Salt Lake City July 19 - 23rd. Nationally recognized speakers will include Stephen Covey (leadership), Bill Kristol (election insight), and Stacey Davis Stewart (economic development). The NCSL annual meeting and exhibitions will be held at the Salt Palace Convention Center.

The Welcome Reception is Tuesday, July 20th, and will provide a lovely evening of great Utah fare in the Capitol and on the plaza between the new House and Senate Buildings. Following the buffet, the Mormon Tabernacle Choir will perform in the Tabernacle on Temple Square in a private concert for conference participants.

The Closing Social Event is on Thursday, July 22nd, at the Utah Olympic Oval in Kearns. Olympic athletes Derek Para, Kristen Gale, and Picabo

Street will be available for autographs and pictures. Skating and other activities, dancing to live band, and a festive BBQ dinner will round out this special evening.

All Utah legislators are automatically registered for the conference; NCSL will mail badges and information this Friday, May 21st. Spouses and guests may register for a fee of \$125 which includes the opening and closing events, the museum tour, and genealogy workshop. For further registration information, please contact Carole Peterson in the House (538-1280), or Annette Moore in the Senate (538-1458), or Georgianna Knudson at 435/723-2035.

For more information, please check the Utah State Legislature website at le.utah.gov or ncsl.org.

LEGISLATIVE MANAGEMENT COMMITTEE**ACTIONS:**

- Approved a request from the co-chairs of the Energy Policy Task Force that the co-chairs of the Government Operations Interim Committee be paid for attendance at the first meeting of the Energy Policy Task Force and the House chair of the Public Utilities Interim Committee be paid for attendance at all interim meetings of the Energy Policy Task Force. The request was made because of the significant energy issues being studied this summer by the Energy Policy Task Force that overlap the public utilities and government operations subject areas.
- Refused to approve a request from the co-chairs of the Revenue and Taxation Interim Committee to be paid for attending the interim meetings of the Tax Review Commission (TRC). The request was made because TRC has been asked to undertake several studies, including certain tax credits and sales and use tax exemptions.
- Adopted a Request For Proposal (RFP) for a study of the effects on Utah state government and school districts of various proposals to offer an income tax credit for private school tuition. The RFP will be placed on the legislative web page. The deadline for submitting proposals to the Office of Legislative Research and General Counsel is June 3, 2004.

DIGEST OF LEGISLATION

At the May interim meetings, the Office of Legislative Research and General Counsel distributed to all legislators the 2004 General Session *Digest of Legislation*. The *Digest of Legislation* includes the 2004 Veto Override Session and the First and Second Special Sessions of the 55th Legislature.

To receive a copy of the *Digest of Legislation* please contact Cassandra Bauman in the Office of Legislative Research and General Counsel at 801-538-1032. The *Digest of Legislation* will also be available electronically in the near future at the legislative website le.utah.gov.

**Office of Legislative Research and General Counsel**

House Building, Suite W210 • Salt Lake City, UT • 84114
(801) 538-1032

Office of the Legislative Fiscal Analyst

House Building, Suite W310 • Salt Lake City, UT • 84114
(801) 538-1034

Office of the Legislative Auditor General

House Building, Suite W315 • Salt Lake City, UT • 84114
(801) 538-1033

For more information about legislative activities, contact one of the legislative offices or access our website at: www.le.utah.gov

Editors: Jami Momberger & Susan Creager Allred