



INTERIM HIGHLIGHTS

Office of Legislative Research
and General Counsel

Office of the Legislative
Fiscal Analyst

Office of the Legislative
Auditor General

RECOMMENDED LEGISLATION

Bills recommended by interim committees as of October 24, 2001.

Education Committee

- ▶ School Uniform Amendments

Government Operations Committee

- ▶ Election Campaign Fund Checkoff Amendments
- ▶ Revisions to Senate Advise and Consent Powers
- ▶ Repealer Bills: Environmental Quality Coordinating Committee, Human Resource Advisory Board, Investment Advisory Committee, Local Government Information Technology Review Committee, Medical Examiner Committee, National Guard Advisory Board, State Advisory Planning Committee, Utah Occupational Safety and Health Advisory Council

Health and Human Services Committee

- ▶ Adult Protective Services Amendments
- ▶ Appropriation for Sexual Violence Victim Assistance Programs
- ▶ Cigarette Tax Stamp and Contraband Amendments
- ▶ Reports to Health and Human Services
- ▶ Technical Amendments to Tobacco Settlement Trust Fund
- ▶ Use of Tobacco Settlement Interest Proceeds

Law Enforcement and Criminal Justice Committee

- ▶ Public Safety Bureau Name Change
- ▶ Prohibiting Intimacy with Youth Receiving State Services
- ▶ Transfer of Youth Services Oversight

Natural Resources, Agriculture, and Environment Committee

- ▶ Water Forfeiture Amendments
- ▶ Forfeited Water Right Allocation
- ▶ Mutual Water Company Change Applications

Political Subdivisions Committee

- ▶ Prohibiting Residential Lots from Crossing County Lines
- ▶ Voter Residence Where Lot Is Divided by County Boundary Line

Public Utilities and Technology Committee

- ▶ Resolution Encouraging Research and Development Grants for Clean Coal Alternatives
- ▶ Net Metering of Electricity

Transportation Committee

- ▶ Alcoholic Beverage Service - Warning Required
- ▶ Amendments to Driving Under the Influence
- ▶ Blood and Breath Alcohol Testing
- ▶ Court Records of Driving Under the Influence Cases
- ▶ Motorboat Driver Licensing and Boating Under the Influence Provisions
- ▶ Multiple Driving Under the Influence Offenses

INTERIM COMMITTEE ACTIONS

Business and Labor

STUDIES:

- Considered draft legislation "Regulation of Termite Inspectors."
- Considered draft legislation "Utah Consumer Credit Reporting Act."
- Reviewed amendments made by H.B. 72, "Penalty for Misuse of Securities," (2001 G.S.) and received input from the Sentencing Commission and the Division of Securities in the Department of Commerce.

ACTION: Recommended extending for five years the sunset dates of the Utah Podiatric Physicians Licensing Act, the Certified Public Accounting Licensing Act, the Professional Employer Organization Licensing Act, and the Acupuncture Licensure Act.

*Chairs: Sen. Dan R. Eastman/Rep. Katherine M. Bryson
Staff: Mary Catherine Perry (analyst)/Patricia Owen (attorney)/Jennifer Markham (secretary)*

Education

REPORT: Received a report on school districts' spending of a supplemental appropriation for textbooks and on estimated annual expenditures needed for textbooks.

ACTION: Requested a report for the November interim meeting on the federal Office of Civil Rights' review of Utah school districts' programs for English language learners.

*Chairs: Sen. Howard A. Stephenson/Rep. Marda Dillree
Staff: Connie Steffen (analyst)/Dee Larsen (attorney)/Wendy Bangertner (secretary)*

Government Operations

REPORT: Received a report on eliminating subcommittees of the Utah Substance Abuse and Anti-Violence Coordinating Council.

ACTION: See recommended legislation on this page.

*Chairs: Sen. John W. Hickman/Rep. Craig W. Buttars
Staff: John Cannon (analyst)/John Fellows (attorney)/Alicia Gambles (secretary)*

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2001 Second Special Session Bills**

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Appropriation Subcommittee Meetings**

Health and Human Services

STUDIES: Reviewed draft bills that regulate genetic privacy and discrimination, make technical amendments to the Tobacco Settlement Trust Fund, and establish a minimum fine for providing cigarettes to an underage person.

REPORTS: Received a report on the current uses of tobacco settlement monies and on the impact of any increase in funding for tobacco prevention, cessation, and control.

ACTION: See recommended legislation on front page.

Chairs: Sen. Terry R. Spencer/Rep. Carl R. Saunders
Staff: Mark Andrews (analyst)/Paul Hess, Catherine Dupont (attorneys)/Sandra Wissa (secretary)

Judiciary

STUDIES: Discussed draft legislation regarding the enforcement of parent time and draft legislation regarding motor vehicle insurance coverage.

REPORTS: Received a report from the Administrative Office of the Courts regarding the recording of liens and a report from the Utah Substance Abuse and Anti-Violence Council regarding the status and efficacy of drug courts in Utah.

Chairs: Sen. David L. Gladwell/Rep. Glenn L. Way
Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Glenda Whitney (secretary)

Law Enforcement and Criminal Justice

REPORT: Received a report from the Utah Substance Abuse and Anti-Violence Coordinating Council regarding the status and efficacy of drug courts in Utah.

ACTIONS:

- See recommended legislation on front page.
- Recommended discussing draft legislation "Child Welfare Information System Amendments - Version B" at the November interim meeting.
- Supported making draft legislation "Law Enforcement Database Integration" a master study item for next year.
- Requested staff to draft legislation that would provide more funding for sex offender treatment in prison.

Chairs: Sen. D. Chris Buttars/Rep. DeMar "Bud" Bowman
Staff: Chyleen Arbon (analyst)/Susan Creager Allred (attorney)/Alicia Gambles (secretary)

Natural Resources, Agriculture, and Environment

STUDIES:

- Considered a proposal to establish Sand Hollow in Washington County as a park in the State Park System.
- Reviewed a memorandum of understanding that will be entered into between the Department of Natural Resources and the School and Institutional Trust Lands.

ACTION: See recommended legislation on front page.

Chairs: Sen. Parley G. Hellewell/Rep. Bradley T. Johnson
Staff: Brian Allred (analyst)/Jeanenne Larson (attorney)/Joy Miller (secretary)

Political Subdivisions

REPORT: Received a report from the Utah Quality Growth Commission on the status of its work.

ACTION: After hearing an audit report on Utah's seven associations of government (AOG), the committee requested that AOGs report annually in order to maintain a continuing dialogue.

Chairs: Sen. Carlene M. Walker/Rep. David L. Hogue
Staff: Joseph Wade (analyst)/Keith Woodwell (attorney)/Joy Miller (secretary)

Public Utilities and Technology

REPORTS:

- Received a report on the state of natural gas issues, including supply, demand, and prices. The committee also discussed the upcoming required changes to consumer's natural gas appliances due to the lower Btu gas that will be provided by Questar.
- Discussed legislative proposals regarding the Interlocal Cooperation Act, Commercially Sensitive Energy Information Amendments, and Electric Power Facilities.

ACTION: Voted to place on November's agenda draft legislation that would broaden the Universal Service Fund to include small community telephone providers.

Chairs: Sen. Leonard M. Blackham/Rep. John E. Swallow
Staff: Richard North (analyst)/Robert Rees (attorney)/Junie Anderson (secretary)

Revenue and Taxation

REPORTS:

- Received a progress report from the Government Revenue and Tax System Task Force, which examined a wide array of issues regarding the state and local tax system. This is a two year task force that will present its final recommendations next year.
- Received a report from the Utah Association of County Assessors regarding proposed changes to the Farmland Assessment Act.

ACTIONS:

- Directed staff to draft legislation that would exempt from the state individual income tax certain income earned by a member of the Utah National Guard or by a reserve member of a branch of the U.S. Armed Forces who is mobilized for active military duty.
- Directed staff to draft legislation to clarify when the sales and use tax should be imposed on the repair of tangible personal property that is exempt from the sales and use tax.
- Voted to endorse the concept of providing health care insurance to state employees who are mobilized for full-time active military service.

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

Transportation

REPORTS:

- Received a report that statewide revenues have not grown as expected so budgetary adjustments will need to be made to several highway projects.
- Received a report on the audit "Unregistered Passenger Vehicles in Utah," indicating that as much as \$7.3 million is lost each year due to improperly registered motor vehicles.

ACTIONS:

- See recommended legislation on front page.
- Voted to send a letter of commendation regarding UDOT's completion of the I-15 Reconstruction project, which was finished earlier than scheduled and under budget.
- Directed staff to draft legislation to eliminate the requirement for a county decal on license plates.

Chairs: Sen. David H. Steele/Rep. Joseph G. Murray
Staff: Benjamin Christensen (analyst)/Cheryl Felt (attorney)/Junie Anderson (secretary)

Workforce Services and Community and Economic Development

STUDIES:

- Discussed draft legislation to amend the transient room tax and the tourism, recreation, cultural, and convention tax.
- Discussed proposed legislative changes to the Workforce Service Regional Council membership and the Employment Support Act.
- Discussed legislation regarding the Office of Child Care.

ACTIONS:

- Directed staff to draft legislation to make technical changes to the statute governing the Dept. of Workforce Services.
- Directed staff to draft legislation regarding financial information privacy.

Chairs: Sen. Beverly Evans/Rep. Richard M. Siddoway
Staff: Jamie Momberger (analyst)/Jim Wilson (attorney)/Jennifer Markham (secretary)

SCHEDULE OF LEGISLATIVE AUDITS

Office of the Legislative Auditor General

Several audit reports have recently been released. If you would like a full copy of these reports, please call (801) 538-1033, or go to our web page at: www.le.state.ut.us/audit/olag.htm

Audit Reports Recently Released

Child Welfare Referrals and Cases	September 2001
Juvenile Justice	October 2001
Unregistered Vehicles	October 2001

The following audits are currently being conducted and are scheduled to be completed as indicated. The audit completion date is only tentative and may change based on the conditions incurred by the audit teams.

Current Audits in Process

Audits in Process	Est. Completion
Division of Services for People with Disabilities	December 2001
School District Funding of Association	December 2001
U of U Medical School Admissions	December 2001
Hogle Zoo	December 2001
Foster Care Foundation	January 2002
Textbook Monitoring	June 2002

The Legislative Audit Subcommittee has prioritized the following audits to be assigned as staff become available.

Future Audits

Health and Human Services Local Provider COLA
Property Tax Exemptions
Decentralization of State Office of Education

2001 SECOND SPECIAL SESSION

September 25 to October 1

Bills Passed

HB2001	House of Representatives Redistricting Plan
HB2002	State Board of Education Redistricting Plan
HB2003	Unauthorized Practice of Law Amendments
HB2006	Classification of Cities and Towns
HCR201	Resolution of Remembrance and Recognition of the Attack on America
HCR202	Resolution Condemning Retaliation Against Islamic and Arab Communities
HCR203	Resolution Urging the Harvesting of Infested Stands of Timber
SB2001	Senate Redistricting Plan
SB2002	Congressional Three Member Plan
SB2003	Congressional Four Member Plan
SB2005	2001 Revenue Bond Authorizations Amendment
SB2006	Pete Suazo Utah Athletic Commission
SB2007	Workers' Compensation Amendments for Out-of-State Public Safety Officers During the Olympics
SB2008	Peace Officer Status During Olympics
SCR201	Resolution Recognizing Contributions of Senator Pete Suazo

Bills Not Passed

HB2004	Certification of Primary Voting Requirements by Political Parties
HB2005	Technical Amendments to Tobacco Settlement Trust Fund
HB2007	Insurance Coverage for State Employees' Military Activation
SB2004	Venue for Consumer Transactions
SB2009	Criminal Penalties for Riots and False Alarms

EXECUTIVE APPROPRIATIONS

The following reports are available at: www.le.state.ut.us/lfa.

Office of Child Care: In-depth Budget Review

The review found that the Office of Child Care is better integrated into the Dept. of Workforce Services and operates more efficiently as a response to a legislative audit. FY 2002 is the first year Utah has not received the maximum amount of federal Child Care Development Funds (CCDF). However, the \$3,000,000 that was unclaimed was offset by a federal funds windfall of \$8,000,000. It was recommended that the Child Care Resource and Referral Agency funding formula be adjusted for inflation and that caution be used regarding long-term funding commitments until Congress reauthorizes Temporary Assistance for Needy Families (TANF) and CCDF.

Staff: Stan Eckersley, Bill Greer

Funds Consolidation Update

Upon the analyst's recommendation, the committee adopted draft legislation that would transfer any remaining balance from nine restricted funds to the General Fund and then statutorily repeal the funds. The analyst is also considering the consolidation of 14 additional funds, while receiving input from the affected agencies.

Staff: Spencer Pratt

Economic Indicators/Revenue Impact

Tourism, retail, construction, and manufacturing sectors will continue to struggle in the next two quarters in Utah and nationwide. Business investment is slow and corporate profits are down. The Legislature will face increasing demands in Public Education, Higher Education, and Medicaid, while revenue growth remains slow. The repeal of the federal estate tax and the decrease in state taxes will impact revenues. However, Utah's economy continues to outpace the nation.

Staff: Andrea Wilko

Vacant Position Report

In response to intent language from the 2001 General Session, a state government vacant position report was received and will be presented to each appropriations subcommittee during the General Session. The committee recommended that the intent language be amended to include only currently funded vacant positions.

Staff: Kevin Walthers

UDOT: Efficiencies and Cost Reductions

The report reviewed UDOT's Performance Management Internal Plan. The presentation focused on several efficiency and cost-reduction initiatives, including Survey Crew Consolidation, Transportation Technician Program, Innovative Contracting, Structure Collision Repair Program, Lump Sum Traffic Control, Value Engineering, Internal Program Audits, and the Legacy Parkway Project.

Staff: Mark Bleazard

APPROPRIATION SUBCOMMITTEES

Executive Offices and Criminal Justice

REPORTS:

- Received an update on Olympic security from the Department of Public Safety.
- Received a report from the Department of Corrections on the increased cost of providing medical services to inmates and discussed generating revenue by providing medical care to county inmates.

STUDIES:

- Various state agencies explained issues relating to agency attorneys not hired by the Attorney General's Office.
- Discussed the current status of the governor's holdbacks, jail reimbursement and jail contracting, and the subcommittee's budgetary session assignment.

*Chairs: Sen. Chris Buttars, Rep. Lamont Tyler
Staff: Bill Greer, Gary Ricks*

Public Education

STUDY: The Governor's office presented the first round of budget reductions and plans for further budget reductions.

REPORT: Received a report from the State Office of Education regarding the State Board of Education's proposal to change and expand block granting.

ACTION: Directed staff to draft a letter to the Legislative Management Committee urging legislative leadership to request that a Special Session be called to make budgetary decisions.

*Chairs: Sen. Howard Stephenson, Rep. Marda Dillree
Staff: Mike Kjar, Jonathan Ball, Ben Leishman*



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