

MASTER STUDY RESOLUTION

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Craig A. Peterson

A JOINT RESOLUTION OF THE LEGISLATURE DIRECTING THE LEGISLATIVE MANAGEMENT COMMITTEE TO ASSIGN TO THE APPROPRIATE INTERIM COMMITTEE ITEMS OF STUDY; AND REQUESTING A REPORT TO THE 53RD LEGISLATURE IN THE 1999 ANNUAL GENERAL SESSION.

Be it resolved by the Legislature of the state of Utah:

WHEREAS the Legislative Management Committee is created by law as a permanent committee to receive and assign matters for the interim study of the Legislature; and

WHEREAS the 52nd Legislature has determined that certain legislative issues require additional investigation and study:

NOW, THEREFORE, BE IT RESOLVED that the Legislative Management Committee assign to the appropriate interim committee the duty to study and make recommendations for legislative action they consider necessary to the 53rd Legislature in the 1999 General Session, or earlier if indicated, from, but not limited to, the following items of study.

BE IT FURTHER RESOLVED that the Legislative Management Committee, in making study assignments from this list and in approving study requests for individual committees, give due regard to the available time of legislators and the budget and capacity of staff to respond adequately to the number and complexity of the assignments given.

1. Board of Regents Purchasing - to study the purchase or lease of buildings by the State Board of Regents.

2. Education Budget - to study and review all line item, special project, and initiative items in the education budget.

3. Federal Funding - to study federal funding in state government. (SB 33)

4. FTE Levels - to study incentives to lower FTE's with the salary and benefit price/allocation of those who leave spread to those who stay in an amount up to 75-80% with the remaining amount returned to the General Fund to be allocated to positions that are below

standard.

5. State Disclosure of Tax Expenditures - to study whether to require the governor to submit a tax expenditures report in conjunction with his budget. (1st Sub HB 108)

6. State Operation and Maintenance Funding - to study funding of state operation and maintenance, particularly in higher education.

7. Concurrence Texts - to study whether the text of all concurrences should be provided prior to the final vote on a bill.

8. Standing Committee Votes on Bill Status - to study whether the standing committee vote should be provided in the "Bill Status" information on the computer.

9. Consumer Protection Related Insurance Products - to study consumer protections for issuance of insurance products by financial institutions.

10. Definitions of "Worker" and "Employer" - to study the definitions of "Utah worker" and "employer" for Utah and other states.

11. Dental Assistants - to study permissible procedures for dental assistants.

12. Employment in Film Industry - to study employment relationships in the film industry. (SB 193)

13. Expiring Housing Contracts - to study the impact of expiring housing contracts and subsidies on Utah's elderly, disabled, and low income families.

14. Forfeiture Law - to study the various policy issues related to forfeiture law.

15. Impact of Health Insurance Reform - to study the impact of health insurance reform on the individual and small group health insurance market.

16. Insurance Coverage Denial - to study the establishment of a review panel where a consumer could appeal or have clarified the reasons for being canceled when they have paid for many years and then file a claim to their carrier.

17. Landlord Rights - to study landlord rights when unlawful activities occur.

18. Misleading Advertising - to study ways to prohibit misleading advertising.

19. Nonnegotiable Instruments - to study the regulation of nonnegotiable instruments.

20. Nonprofit Organizations - to study wage payment regulations for nonprofit

organizations.

21. Prescription Coverage - to study issues related to prescription coverage.
22. Restaurant Liquor Licensees - to study proximity requirements of restaurant liquor licensees.
23. Street Vendor Laws - to study laws governing street vendors.
24. Usury Laws - to study whether to impose a cap on interest rates.
25. Wrongful Liens - to study wrongful liens on property.
26. 1997-98 Extracurricular Activities Analysis - to study the managing of extracurricular activities to allow students to be involved in sports, music, drama and other activities and still maximize time in the classroom.
27. Applied Technology Center Credit - to study postsecondary credit for classes taken at Applied Technology Centers.
28. ATC and Community College Needs - to study and review the academic and applied technology education needs of Utah citizens, particularly within rural populations.
29. Best Practices in Public Education - to study the possibility of developing a coordinating mechanism in public education to disseminate the best practices that have developed in instruction and in management of education, not only in Utah, but nationwide over the past 15 years.
30. Busing in Hazardous Areas - to study the need for funding busing in hazardous road areas to ensure greater safety to school children.
31. Capital Equalization - to study school capital equalization issues.
32. Capital Outlay - to study and review capital outlay and equalization problems in Utah and the need for long range planning to solve these problems.
33. Career Ladder - to study and evaluate the career ladder programs and the feasibility of incorporating funding into the value of the Weighted Pupil Unit.
34. Competency Based Education - to study and review the strengths and weaknesses of competency-based education and consider the possibilities for implementing such a system in Utah.
35. Driver Training/Licensing - to study teenage driver training and driver licensing.
36. Driver's Education - to study and review the differences between the driver's program

offered by private driver schools and those offered by school districts.

37. Driving Experience - to study whether to require a certain level of driving experience prior to granting a driver license.

38. Driving Instructor Certification - to study the current endorsement requirements for high school driver education instruction in the public schools.

39. Education Improvements - to study improvements in recruiting practices, higher academic standards, stronger teacher training programs, mandatory licensing standards, and continued professional development for teachers.

40. Funding for Aging Building - to study ways to provide funding for school buildings that are aging and need updating in order to be functional in the 21st century and provide the required features that ensure student safety and comfort in an environment that maximizes teaching and learning.

41. Funding of Educational Benefits - to study whether the state should consider funding educational benefits for reserve units.

42. Graduate Enrollment - to study whether to permit higher education faculty to enroll in graduate classes without paying tuition if space is available. (HB 341)

43. Higher Education Issues - to study and review higher education issues that will strengthen postsecondary instruction in Utah, including the effect of the change to the semester calendar; the benefits and problems in the Western Governor's Virtual University; and propose a plan to provide for master planning in higher education.

44. Higher Education Master Plan - to study the possibility of preparing a master plan for higher education.

45. Higher Education Tuition - to study student tuition in higher education, how it is determined, and whether 25% of higher education COLA should be dependent on tuition increases.

46. HIV-AIDS Education - to study an HIV-AIDS education-component for middle school and high school.

47. Impact of Class Size Reduction - to study the effect of class size reduction; the number of students per classroom both before and after; the number of teachers' aides used; and reports by

district with data showing largest and smallest classes.

48. Innovation Instruction - to study ways to provide teachers with tools and training that would permit and encourage innovative instruction techniques.

49. Integration of Effective Technology Practices - to study and review current technology uses in public education and consider the best practices that could be implemented to maximize the benefits of the computer age, including computer assisted instruction, innovative software (drill and practice, etc.) and other components to make computer learning more effective.

50. Middle School Issues - to study, review, and recommend reform measures for middle school education including teacher preparation, curriculum, class structure, and all education issues unique to middle school education.

51. Preparation Time for Elementary Teachers - to study the conditions and considerations that would require elementary teachers be provided a preparation period.

52. Preschool and Kindergarten Literacy - to study numeric readiness and ways to assess the literacy of students who are entering public schools.

53. Professional Development for Career Educators - to study the need for greater professional development in public education preparation and inservice training and consider: trainer/trainee model development; salary increase for professional development; reinstating recertification; comprehensive planning for educator training and professional development; involving the entire university in creating adequate teacher preparation; holding districts accountable for quality professional development; teacher leave programs; and quality controlled teacher mentor programs.

54. Public Education Inservice Training - to study and review the current status of teacher inservice training in Utah and make recommendations for strengthening that effort throughout the state.

55. Regents Powers - to study the power of the State Board of Regents to purchase or lease buildings. (HB 335)

56. School District Creation - to study the process for creating a school district.

57. School Facilities Extended Use - to study the need for summer and after school use of

school facilities for school children and their families.

58. School Fees - to study the progress and recommendations of task forces in the community who are studying the school fees issue.

59. School Finance Equity Study - to study potentialities for greater equity in school finance and review current efforts to strengthen finance equity.

60. School Finance System - to study the current school finance system and make recommendations.

61. School Incentives for Better Performance - to study the kind of incentives that could ensure better over-all performance in elementary and secondary schools.

62. School Uniforms - to study uniforms in public schools.

63. Status and Governance of Postsecondary Education - to study the establishment of a task force to develop policies and procedures for review and recommendations relating to establishing, terminating, or changing the status and/or governance of any institution which provides postsecondary education.

64. Student Education Occupational Plan - to study the effectiveness of Student Education Occupational Plans.

65. Teacher Transfer With Same Pay - to study whether to allow circumstances in which teachers may leave one district to work in another at equal pay rate and retirement.

66. Teachers from Private Sector - to study a mechanism to allow persons with experience and education to teach in public schools without spending years earning a teacher's certificate.

67. Textbook Fees - to study a prohibition on school fees for textbooks in public education, but allowing deposits to be charged.

68. Truancy Reduction - to study the successes and failures of other states in coping with this growing problem and propose the implementation of best solutions.

69. Value Added Administration - to study and consider value added administrative methods for public education in Utah and consider the possibilities of such a system for Utah public schools.

70. 2002 Legislature Date - to study whether to change the date of the 2002 Legislature.

71. Boards and Commissions - to study issues related to boards and commissions.
72. Contingent Fee Contracts - to study the Unclaimed Property Division's use of contingent fee contracts in collecting Utah unclaimed property.
73. Debt Collection Powers - to study Office of State Debt Collection powers, including collections of court accounts receivables.
74. Ethics Reform - to study ethics reform legislation.
75. Government Employee Terminations - to study issues related to the government employee termination process.
76. Government Immunity - to study changes to the Governmental Immunity Act. (HB 97)
77. Government Service - to study prompt government service requirements.
78. Legislative Compensation Commission - to study revisions to the Legislative Compensation Commission.
79. Office of Planning and Budget - to study issues related to the Office of Planning and Budget.
80. Office of State Debt Collection - to study amendments related to the Office of State Debt Collection.
81. Ombudsman - to study the establishment of an ombudsman for Utah.
82. Out-of-State Contractors - to study the employment of out-of-state contractors.
83. Private Property Rights - to study the effectiveness of existing statutes designed to protect private property rights and to review other statutes that may encroach on these rights.
84. Procurement Code and Benefits - to study health care benefits in relation to the procurement code. (SB 66)
85. Public Money for Lobbying - to study restrictions on use of public money to lobby.
86. Regional Planning - to study issues related to regional planning.
87. State Office Support - to study the creation of a support agency for state offices (such as the Judicial Conduct Commission, Guardian Ad Litem, etc.) that don't have a state agency basis.
88. Utah Technical Finance Corporation - to study what the finance corporation is doing and make recommendations which will offer options to change the focus and objectives of the

organization.

89. Western Regional Primary - to study the actual implementation of a western regional primary.

90. Access to Abuse Database - to study whether to provide the State Office of Education with access to the Child Abuse Database for specified purposes.

91. AIDS Test Results Disclosure - to study whether to require the results of an AIDS test prior to marriage be disclosed to the future spouse.

92. Child Care Licensing - to study issues related to child care licensing. (SB 26)

93. Child Relocation Procedures - to study the adequacy of current procedures for relocating a child when the parents are divorced.

94. Genetic Testing - to study a genetic testing privacy act. (HB 271)

95. Group Homes - to study issues related to group homes.

96. Health Care Assistant Registry - to study the health care assistant registry to determine the adequacy of information available on individuals who are on the registry, assure due process for individuals who have a bad report placed in their record, review the performance of the Division of Occupational and Professional Licensing in administering the health care assistance registry, and recommend ways to improve the performance of the registry or propose alternative methods of allowing the public to access information on health care assistants.

97. Health Contracts - to study contracting between medical doctors, hospitals, and health insurance companies.

98. HIV Testing in Rape Cases - to study the constitutional and other issues related to HIV testing in cases of rape.

99. Households - to study the possible regulation of the number of unrelated family members living in a household.

100. Human Cloning - to study the prohibition of human cloning.

101. Insurance Code Clarification - to study how to clarify and simplify the health insurance terms in Title 31, Insurance Code.

102. Insurance for Infertility - to study insurance coverage for infertility.

103. Mental Health Authority - to study mental health authority and administration reform.
(HB 352)
104. Pharmacist Functions - to study whether pharmacists should be allowed to administer immunizations, and if so to what age group (adults, children, or both) and under what circumstances.
105. Portability of Funding - to study the portability of health and human services funding.
(HB 372)
106. Rehabilitation for Prostitutes - to study the creation of a prostitution rehabilitation pilot program.
107. State Adoption Privatization - to study issues related to the privatization of state adoption services. (HB 154)
108. State Hospital Bed Allocation - to study state hospital beds' allocation to local mental health authorities.
109. Testing of Emergency Services Providers - to study disease testing for at-risk emergency services providers.
110. Amending Rules of Evidence - to study whether to amend the Utah Rules of Evidence to provide a definition of "reliable hearsay."
111. Civil Liability - to study the limitation of civil liability.
112. Court Interviews with Children - to study the establishment of court authority to conduct confidential interviews with children in custody and visitation disputes.
113. Immunity for Volunteers - to study whether volunteers ought to be granted immunity for "accidents." (4th Sub SB 54)
114. Kidnaping Definitions - to study the definitions of the offenses of kidnaping and aggravated kidnaping including mandatory minimum sentences.
115. Municipal Court Appeals - to study the appeal process from municipal court convictions.
116. Privacy of Social Security Number - to study whether to allow a person to request that their social security number not be used as an identifier except as provided by law, and possibly provide for civil and criminal penalties.

117. Religious Freedom Restoration Act - to study whether to enact similar legislation on a state level.
118. Serious Youth Offender - to study whether to permit prosecutors to include some sexual offenses against children under 14.
119. Statute of Limitations - to study statute of limitations regarding surveyors, engineers, and contractors.
120. Board of Pardons and Corrections - to study the separation of the Board of Pardons and the Department of Corrections.
121. Community Crime Prevention - to study state and county involvement in community crime prevention.
122. Concealed Weapons - to study issues related to concealed weapons law changes.
123. Concealed Weapons in Schools - to study concealed weapons in public schools and ways to legitimately control this student safety hazard.
124. County Jail Purchases - to study the purchase of county jails from counties.
125. Crime Policy Coordinator - to study whether the state should have a crime policy coordinator and if so, where to create the position.
126. Driving Illegally - to study penalties for driving illegally.
127. Explosives - to study the need for state regulation of the use, manufacture, storage, and transportation of explosives.
128. Handicap Designation for Motorcyclists - to study ways to provide a decal or other designation for disabled motorcyclists.
129. Handicap Parking - to study the redefining of handicap parking.
130. Jail Contracting - to study issues related to jail contracting.
131. National Guard Transfer - to study issues related to CEM transfer to the Utah National Guard.
132. Olympics and Public Safety - to study the coordination of public safety issues during the Olympics.
133. Post Consolidation - to study issues related to post consolidation.

134. Prison Camps - to study the feasibility of establishing west desert prison camps.
135. Prison Privatization - to study the costs and benefits of prison privatization.
136. Service of Process - to study the use of constables, sheriff's office, private investigators, etc. in service of process. (HB 305)
137. SWAT Team Effectiveness - to study SWAT team effectiveness at prisons.
138. Youth Corrections "School" - to study whether youth corrections should create its own "school" and receive money from the Uniform School Fund based on WPUs for the juveniles under their jurisdiction.
139. Big Game/Agriculture Conflicts - to study conflicts between big game and agriculture.
140. Concentrated Animal Feeding Operations - to study concerns related to these operations, particularly hog farms, and their impact on the surrounding environment, including ground water.
141. Elk Herd Management - to study the management of elk herds with an emphasis on high quality areas including Summit and Wasatch counties.
142. Fertilizer - to study fertilizer content, testing, and rules by the Department of Agriculture.
143. Fuel Processing - to study the reprocessing of Plutonium Oxide to create fuel.
144. Great Salt Lake - to study and monitor the level of the Great Salt Lake and determine at what level water should be pumped from the lake.
145. Industrial Waste Recycling in Fertilizer - to study the potential hazard of recycling industrial waste in fertilizer. (HB 367)
146. License Forfeiture - to study the forfeiting of hunting and fishing licenses if fines (hunting and fishing) are not paid.
147. Open Space - to study the preservation of open space.
148. Sensitive Species - to study what actions should be taken to protect sensitive species.
149. Urban Trails - to study the need for urban trails and how to facilitate them.
150. Water Rights - to study the sale of water rights.
151. Wildlife Number - to study numbers of wildlife, specifically elk, cougar, and other

trophy hunting species.

152. Affordable Housing - to study incentives for local government affordable housing initiatives.

153. Condemnation Process of Government Entities - to study the salvage rights and the condemnation process as implemented by political subdivisions of the state of Utah and agencies of the state of Utah.

154. Impact Fees - to study the cost and legality of impact fees. (SB 226)

155. Impact of Private Communities - to study private communities that are not subject to governmental services and their impact on the local communities.

156. Land Use Planning and Zoning - to study land use planning and zoning among municipalities.

157. Local Government and State Agency Sale of Surplus Land - to study whether to enact requirements in law regarding the sale of surplus land by local governments and state agencies.

158. Local Government Budgets - to study the feasibility and desirability of allowing local governments the option of operating under a biennial budgeting system.

159. Optional Forms of County Government - to study issues related to the refinement of Title 17, Chapter 35a, Optional Plans for County Government.

160. Redevelopment Agency Recodification - to study issues related to the recodification of redevelopment agency statutes.

161. Special District Recodifications - to study issues related to the continued recodification of the special district code.

162. State and Local Role in Federal Planning - to study how state law should be modified, enacted or repealed to maximize state and local influence on federal planning processes.

163. Wendover, Utah Airport - to study what actions should be undertaken to resolve the concerns surrounding the construction of the airport at Wendover.

164. Dialing Parity - to study conditions under which a telephone corporation should provide dialing parity to other telecommunications corporations.

165. Long Distance Providers - to study unauthorized changes in a customer's long distance

provider.

166. Power and Ground Lines - to study the need to bury power lines and other ground lines.

167. Residential Telephone Service - to study the development of competition in residential telephone service.

168. Telecommunication Industry Competition - to study the status of competition in the Telecommunications Industry, including local, long distance, cellular, and wireless service.

169. Telecommunication Regulatory Fees - to study payment of regulatory fees by all telecommunications providers.

170. Telecommunications Regulation - to study regulatory structure and resources in a competitive telecommunications environment.

171. Telephone Rate Subsidies - to study whether to remove subsidies (imputations) from telephone rates.

172. Yellow Pages - to study issues related to the U.S. West Yellow Pages.

173. Retirement Conversion and Credit - to study issues related to retirement conversion and credit.

174. Retirement Service Credit - to study current practices related to public employees' purchase of retirement service credit.

175. Alternative Taxes - to study alternative taxes, such as gross receipts, value-added, and sales tax on services in lieu of the tax on intangible property. (SJR 17)

176. Assistive Technology Devices Exemption - to study a sales and use tax exemption for assistive technology devices.

177. Income Tax - to study issues related to income tax law changes. (SB 4, SB 31, HB 66)

178. Income Tax and Trust Income - to study whether to amend provisions governing when a trust is considered to be administered in the state.

179. Intangible Property Tax Provisions - to study whether to amend intangible property tax provisions of the Utah Constitution. (SJR 17)

180. Long Term Care - to study tax incentives for long term care.

181. Marriage Penalty - to study whether Utah can and should adjust its rates and filing requirements to defer from or offset the federal tax provision for a lower credit amount for two persons married, filing jointly than two people filing separate.

182. Pay-per View Boxing Tax - to study the establishment of a pay-per view boxing tax, with revenues to be added to the Utah Boxing Fund. (SB 48)

183. Property Tax Provisions - to study whether to remove the detailed property tax provisions from the Utah Constitution.

184. Property Tax Reduction - to study issues related to property tax reduction.

185. Refund for Petroleum Retailers - to study whether to provide a collection fee refund for petroleum retailers.

186. Residential Property Exemption - to study whether to amend the Utah Constitution to modify the residential property exemption to authorize a statewide average exemption of 45% of fair market value for each class of residential property. (SJR 2)

187. Review of Tax Commission Cases - to study whether to amend the Utah Constitution to authorize a court to adjudicate or review a matter relating to revenue and taxation. (SJR 12)

188. Secondary Homes as Residential Property - to study whether to change the definition of residential property to include secondary homes. (SB 17)

189. Special Fuel Tax Exemption Certificates - to study whether to repeal or strengthen tax laws on fuels used to fuel vehicles that are not conveniently measured on a gallonage basis.

190. Tax Credit for Stay-at-Home Parents or Guardian - to study whether to grant a tax credit to parents or guardians who choose to stay at home rather than work. (SB 210)

191. Tax on Campers - to study the taxation and registration of campers.

192. Tax Refunds and Assessments Statute of Limitations - to study how to create uniformity in statute regarding the statute of limitations on refunds and assessments.

193. Taxes and the 2002 Olympics - to study the taxation implications of the Olympic Winter Games in 2002.

194. Vote on County-wide Sales Tax for Construction - to study the need for a voter-approved, county-wide sales tax for transportation construction and thoroughfare

improvements.

195. Voted Leeways and Truth in Taxation - to study and review voted leeway and truth in taxation issues in Utah, consider options and make recommendations to correct problems surrounding these issues.

196. Adjusted Suspension Vehicle Consideration - to study whether adjusted suspension vehicles should be offered a special license plate consideration for movement to and from their events (Monster Trucks).

197. Bicycle Helmet Safety - to study issues related to bicycle helmet safety.

198. Driver License - to study whether to extend the length of time a driver's license is valid from the current 4 years to a longer period such as 6-10 years.

199. Driver Safety - to study the increasing inattentiveness of drivers due to "in-car" distractions.

200. Highway Jurisdiction - to study highway jurisdiction transfers and funding. (1st Sub. SB 176)

201. Highway User Fee - to study whether nonresidents who use interstate highways should be assessed a user fee to address concerns regarding federal funding.

202. I-15 Construction and Funding - to study continued oversight of I-15 and Centennial Transportation funding and project updates.

203. Legacy Highway - to study a report on Legacy Highway.

204. Motorcycle Registration - to study biennial motor vehicle registrations, including property tax in lieu of fee, inspections, decals, and insurance.

205. Periodic License Plate Replacement - to study the need, procedures, and costs of requiring license plates to be replaced periodically.

206. Personal Financial Responsibility Act - to study potential circumstances under which an injured person should not be able to collect noneconomic damages when involved in an accident. (HB 383)

207. Public Transit Issues - to study issues related to public transit.

208. State Roads - to study the purchase process on state roads.

209. Tolls and Toll Roads - to study high occupancy tolls and toll roads as revenue generators.

210. Traffic Signal Priority System - to study whether to include a traffic signal emergency priority control system within the automated traffic management system component of the Interstate 15 reconstruction project.

211. Transportation Rights-of-Way - to study the feasibility and practicality of acquiring transportation rights-of-way beyond the typical right-of-way to provide for future expansion and to capture the highway infrastructure-related property value increases by purchasing land which has access to new rights-of-way.

212. UDOT and Transportation Commission Duties - to study issues related to the various duties of UDOT and the Transportation Commission.

213. Child Support Service Delivery - to study the relationship between the Office of Recovery Services and the Department of Workforce Services, including how child support interfaces with the services delivered by Workforce Services.

214. FACT Model - to study and review the FACT model and its philosophy and consider its further expansion.

215. Privatizing Workers' Compensation - to study issues related to the privatization of workers' compensation.

216. Public Assistance Time Limits - to study the monitoring of public assistance time limits and the clients being affected.

217. Welfare Fraud - to study Welfare Fraud Finger Imaging legislation.

218. Medical Care for State and County Prisoners - to study who is responsible for payment to hospitals and other health care providers for providing requested medical care to state and county prisoners while they are in custody.

219. Long Term Facility for the Mentally Ill - to study the need for an alternative long term facility for the mentally ill.