

MASTER STUDY RESOLUTION

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: L. Steven Poulton

This joint resolution of the Legislature directs the Legislative Management Committee to assign items of study to the appropriate interim committee. The resolution requests a report to the Legislature prior to the 2003 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 54th 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 it considers necessary to the 55th Legislature prior to the 2003 Annual General Session, from 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 consideration 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. Appropriation for School Districts Impacted by Fee Waivers - to study appropriating ongoing funds from the Uniform School Fund to the State Board of Education for distribution to certain school districts impacted by fee waivers. (H.B. 271)

2. Budget Disclosure - to study issues related to budget disclosure requirements.

3. Capitol Restoration Funding - to study options for funding the restoration of the Utah State Capitol.

4. Cost-of-Living Adjustment for Public Safety and Law Enforcement - to study whether to increase the cost-of-living adjustment for public safety and law enforcement retirees from 2.5% to 4%. (H.B. 97)

5. Decertifying Nursing Home Beds - to study issues related to the decertification of unused nursing home beds.

6. FACT Evaluation and Funding - to study the Families, Agencies, and Communities Together for Children and Youth At Risk Program, its funding levels, the effectiveness of the program in delivering services to those with special needs, and determine whether one state department should be made responsible for the program.

7. Fee Analysis - to study the creation of a task force to study fees charged by state agencies.

8. Funding Growth in Education - to study which education programs should be treated with a growth factor in determining future education funding.

9. Internal Service Fund - to study internal service fund cost structure, the impact of the cost structure on internal service fund budgeting, and the impact of cost structure/budgeting on internal service fund rates.

10. Nursing Home Budget Rider - to study attaching a rider to a Medicaid nursing home budget to follow the individual if they move from the nursing home.

11. Planning, Funding, and Constructing School Buildings - to study whether greater efficiencies can be developed in the design, funding, and construction of school buildings, review developing plans by school districts, and work with the Division of Facilities Construction and Management to create reasonable alternatives.

12. Accessible Housing for the Disabled - to study ways to increase the availability of housing that can be accessed by disabled individuals.

13. Building Standards - to study issues related to the building standards for older buildings.

14. Business Law Recodification - to study the recodification of statutes governing the function, organization, and maintenance of business entities in Utah.

15. Death Industry Regulation - to study the model Cemetery Merchant Act and other "death industry" regulation.

16. Electronic Funds Transfers - to study concerns regarding the ability of collection agencies and other groups to initiate electronic transfers to collect amounts in dispute in violation of rules governing electronic transfers.

17. Eviction of tenants - to study issues related to the eviction of nonpaying tenants.
18. Nonprofit Corporation Act - to study the need to update the Nonprofit Corporation Act. (S.B. 176)
19. Nonprofit Insurers - to study the applicability of the Insurance Code to nonprofit insurers. (H.B. 148)
20. Paycheck Loan and Check Cashing Practices - to study and review the practices of paycheck loan and check cashing businesses.
21. Predatory Lending - to study the predatory lending practices of contractors and real estate and mortgage loan brokers.
22. Preneed Arrangements - to study the preneed arrangements by providers of funeral and cemetery goods and services.
23. Presumption of Occupational Disease - to study whether to provide for a presumption that certain occupational diseases are employment-related for fire department employees. (H.B. 174)
24. Prompt Payment in Construction - to study construction contract prompt payment provisions. (S.B. 19)
25. Title Loan Companies - to study limitations on title loan companies.
26. Unauthorized Electronic Transfers - to study the creation of a penalty for certain unauthorized electronic transactions, including a transfer of monies from an account initiated by a person other than the customer that maintains the account, or a transfer by a person without authority to initiate the transfer. (1st Sub. H.B. 134)
27. Unfair Trade and Consumer Sales - to study changes to the Unfair Trade Practices Act and the Consumer Sales Practices Act.
28. Usury Laws - to study Utah's usury statutes.
29. Ballot Question on Tuition Tax Credits - to study whether to place on the ballot a statewide opinion question regarding whether to allow tuition tax credits in Utah.
30. Alternative Language Services - to study the services provided to students whose native language is not English.

31. Arts in Education - to study the formula for funding the arts and for administrative oversight.
32. Charter School Enrollment - to study whether to impose enrollment limitations on state-sponsored charter schools.
33. Charter Schools Capital Facilities - to study capital facilities financing for charter schools.
34. Classroom Amplification - to study the use of classroom amplification devices in Utah classrooms.
35. Competitive Bidding for Events - to study competitive bidding for High School Activities Association events.
36. Concurrent Enrollment - to study the flow of funding and the costs incurred by the student in concurrent enrollment.
37. Core Curriculum Standards - to study which core curriculum subjects should have learning standards and objectives established by the State Board of Education.
38. Driver Education in Schools - to study how to phase out driver education in schools and address the increased impact on the Driver License Division.
39. Education Assessments - to study the effectiveness of kindergarten assessments.
40. Higher Education Personnel Policies - to study the different personnel policies at the state's institutions of higher education, including grievances, terminations, discipline, pay scale, academic freedom, and school governance.
41. Higher Education Practices - to study and review nonfaculty employee personnel and compensation practices in higher education.
42. Higher Education Tuition and Financial Aid - to study whether to tie higher education tuition increases to increases in financial aid availability.
43. Impact of Annexation on Schools - to study the impact of annexation by a city on affected school districts.
44. Impact of Universal Tuition Tax Credit - to study and develop an economic model illustrating how a universal tuition tax credit would affect the state public education system.

45. Process for Review and Analysis of Tuition Tax Credits or School Choice - to study whether to secure the services of an analyst or a research organization to examine issues relating to tuition tax credits or school choice in Utah.
46. Remedial Education in Higher Education - to study what the mission of higher education should be in providing remedial education and whether to cap the number of freshman who may take remedial classes.
47. School District Boundary Adjustments - to study the process for the adjustment of school district boundaries to permit all residents of a city expanded through annexation to be served by a single school district.
48. School District Budget Analysis - to study and conduct a detailed analysis of the budgets of the state's 40 school districts.
49. School Funding Through Uniform WPU Value - to study the impact of using a uniform weighted pupil unit value to fund all schools, particularly the impact on charter schools that are high schools.
50. Student and Family Privacy - to study the creation of a Student and Family Privacy Protection Act.
51. Teacher Bill of Rights - to study issues related to a teacher's bill of rights.
52. Teacher Evaluation - to study the teacher evaluation process of public school districts.
53. Teacher Incentive - to study issues related to a teacher's incentive bonus.
54. Teacher License Renewal Procedures - to study existing and proposed procedures and requirements in the teacher's license renewal process.
55. Teacher Paperwork - to study ways to reduce the paperwork load of classroom teachers.
56. Utah Center for Assistive Technology and High School Programs - to study the interfacing of UCAT and high school programs in the Salt Lake/Tooele area.
57. Criminal Penalties Against State Employees - to study criminal penalties for state employees who do not comply with law.
58. E-mails as Government Records - to study the classification of electronic mail as a government record.

59. Election Law Revisions - to study various changes to state election laws. (H.B. 306)
60. Government Immunity Hearings and Procedures - to study the administrative hearing and appeal procedures when a government employee being sued requests that they be covered by the Utah Governmental Immunity Act.
61. Governmental Immunity - to study broad governmental immunity procedures.
62. Governor's Office of Planning and Budget - to study the creation and duties of the Governor's Office of Planning and Budget.
63. Handling Injury Claims Against Government Entities - to study incidents of intentional or unintentional misdirection by government employees to claimants and their attorneys regarding any notice of claim for injuries against any government entity or special district.
64. Procurement Code Requirements of Health Care Benefits - to study requiring certain businesses to provide qualified health insurance coverage to employees as a condition for contracting with the state under certain circumstances. (S.B. 137)
65. Public Officers and Employees Ethics Act -- Exemption Removal - to study modifying the act by removing an exemption for contracts with professional golf association members who are public employees. (H.B. 292)
66. Timely Agency Review - to study the timely agency review of certain applications and review of permits.
67. Utah State Fairpark Status - to study whether to remove the Utah State Fairpark's status as a quasi-governmental entity and place it within the Department of Agriculture and Food.
68. Access to Drugs - to study pharmaceutical access and drug policy.
69. Calcium Deficiency - to study issues related to calcium deficiency among women.
70. Child Support - to study issues related to child support guidelines.
71. Conduct of Shelter Hearings - to study whether the Utah Rules of Evidence should be followed in shelter hearings.
72. Consolidation of Health Services - to study whether to combine the Division of Substance Abuse with the Division of Mental Health.
73. Emergency Medical Liability Exemption - to study exemptions from liability under the

Emergency Medical Services Act.

74. Emergency Medical Services to Annexed Areas - to study municipal annexation and the provision of emergency medical services through license application with the Department of Health.

75. Increased Visitation Time - to study increased parent time for children's holidays in the minimum standard visitation schedule.

76. Laws Governing Emergency Medical Services/Ambulance Services - to study whether current laws governing emergency medical and ambulance services violate antitrust laws.

77. No Danger for Construction Delay - to study whether to prohibit the inclusion of a provision in a construction contract which would waive, release, limit, or extinguish the right to recover damages or an equitable adjustment for unreasonable delay by another party to the contract.

78. Obesity - to study issues related to the problem of obesity.

79. Optometry Law Study - to study issues related to optometry, including the requirements for the release of contact lens prescriptions, requirements specific to contact lens resellers, the definition of contact lens prescription verification, and the penalty for unlawful conduct.

80. Panel Meetings Under Public Meetings Law - to study whether Subsection 62A-4a-207(5), governing instances in which the Child Welfare Legislative Oversight Panel may meet in private, should be harmonized with state open and public meetings law.

81. Parental Defense Counsel - to study issues related to parental defense counsel in child welfare and parental termination of rights cases.

82. Parental Rights Trials - to study whether cases involving the termination of parental rights should be jury trials.

83. Reviews By Foster Care Board - to study the involvement of the Foster Care Citizen Review Board in child protective services case review.

84. Shift in Quality Assurance Function - to study and recommend changes to the definition of "disability" and the feasibility of moving the quality assurance functions in the Division of Services for People with Disabilities to the Division of Health Care Financing.

85. Shorter Appellate Process Time - to study whether to shorten the appellate process time in parental termination of rights cases.

86. Supervision of Anesthetists - to study supervision requirements for certified registered nurse anesthetists under the Nurse Practices Act.
87. Termination of Parental Rights - to study due process and shelter concerns in the termination of parental rights. (1st Sub. H.B. 226)
88. Women's Health Care Parity - to study whether health insurance policies and health maintenance contracts should provide coverage for the cost of prescriptive contraceptives. (S.B. 54)
89. Barring Claims Involving High Risk Sports - to study amending Sections 78-27-52 and 78-27-53 to include all high risk sports such as sky diving and four wheeling.
90. Condemnation - to study notification of rights, fairness, and procedures related to condemnations.
91. Court's Consideration of Hate Crimes - to study whether to provide for the court's consideration of the defendant's selection of the victim because of the defendant's perception of a group or individual as an aggravating circumstance and whether to allow the court to impose alternative sentence provisions in cases with this aggravating circumstance. (H.B. 151)
92. Enforcement of Liability and Indemnity Provisions - to study whether liability releases and waivers for minors and indemnity provisions against parents of minors are enforceable.
93. Judicial Conduct Commission Structure - to study a two-tier system of structuring Judicial Conduct Commission membership.
94. Officiating in a Marriage - to study who can legally solemnize a marriage, including issues related to Internet certification of a minister.
95. Right to New Judge - to study the rights of litigants to a new judge following a successful appeal.
96. Trust Law - to study issues related to the protection of trust property including examining Alaska trust laws.
97. Uniform Trust Act - to study changes to the Uniform Trust Act. (S.B. 43)
98. 911 Committee - to study the creation of a Utah 911 Committee to make recommendations to the Law Enforcement and Criminal Justice Interim Committee regarding 911

fees and the coordination of the statewide 911 system. (1st Sub. H.B. 313)

99. Consolidation of Criminal Code Penalties - to study and consider whether to place all general descriptions of criminal penalties in one location in the Criminal Code to improve access.

100. Corrections Education - to study the potential uses of electronic high schools in corrections programs.

101. Domestic Terrorism - to study whether stronger laws and penalties are needed to address domestic terrorism.

102. Public Safety and Corrections Motor Pool - to study whether to remove the Department of Public Safety and the Department of Corrections from the state fleet and create their own motor pool.

103. Safety at Railroad Crossings - to study and review the safety requirements at railroad crossings.

104. Advertising Water Rights - to study better ways to fulfill requirements to advertise water rights issues.

105. Clean Water Act Amendments - to study and define the term "functionally separate water system." (H.B. 309)

106. Condemnation Powers of Special Service Districts - to study whether special service districts should have the power to condemn culinary water.

107. Conservation and Climate Centers - to study the development of Water Conservation and Climate Centers.

108. Extension Service - to study and review the Utah State Extension Service.

109. Grazing Rights - to study the protection of grazing rights on state and federal lands.

110. Interstate Transportation of Utah Water - to study the existing water export laws to determine if any additional protective legislation is needed.

111. Landfill Jurisdiction - to study whether C & D landfills should be exempt from legislative approval.

112. Litigation in Water Disputes - to study limits on the need for litigation on water disputes.

113. Mining Law - to study potential changes to state mining laws.
114. Municipal Landfills - to study the operation of municipal waste landfills.
115. State and Federal Lands - to study and review the status of state and federal land ownership.
116. Surface Water Source Protection - to study how to enable drinking water systems to comply with federal regulation and to protect surface water that is a source of drinking water.
117. Waste Issues - to study issues related to solid and hazardous waste.
118. Water Company Consolidation - to study tools that can be used to consolidate water companies for proper management in high growth areas.
119. Attracting Technology to Utah - to study policy changes that impact, attract, and encourage technology businesses to locate in Utah.
120. Claims Filing Related to Special Districts - to study the claims filing process involving special districts by those injured as a result of special district activities.
121. Condemnation Powers - to study whether to grant condemnation power for personal property.
122. Conservation Easement Approval - to study whether approval must be received from a county or municipal planning commission before a conservation easement may be created.
123. County Initiatives - to study the county initiative process.
124. Emergency Responder Priority - to study whether to require providers of police, fire, emergency medical technicians, and paramedic services in counties of the first class to enter into agreements to facilitate the closest responder regardless of geographic or political boundaries. (H.B. 180)
125. Impact of State Law on Local Vote - to study the impact of legislative enactments which pass subsequent to a local voter-approved optional plan when later state enactments invalidate a county plan.
126. Justice of the Peace Elections - to study issues related to the retention elections of justices of the peace.
127. Laws Regulating Pawnshops - to study the registration of pawnshops with the

Department of Financial Institutions, the regulation of pawn transactions, record keeping and reporting requirements, penalties for failure to comply with legal requirements, an electronic database of pawnshop transactions accessible by law enforcement officials, a procedure for persons to recover misappropriated property in the possession of a pawnbroker, and the protection of pawnbroker records as protected records.

128. Local Government Archive Certification - to study whether to permit local government archives to have the right to certify as correct records within their exclusive custody.

129. Municipal Construction Standards - to study construction defects and inspection grading at the municipal level.

130. Municipal Plan for Moderate Income Housing - to study whether to change the scope of moderate income plan requirements imposed on cities.

131. Municipal Services to Unincorporated Areas - to study funding options for providing municipal services to the citizens of the unincorporated area of counties of the first class.

132. Special District Bonding Laws - to study the bonding laws of special districts to assure conformity with the provisions of the Utah Municipal Bond Act.

133. State Compliance With Local Standards - to study the compliance by state lands and buildings with local land use and building standards.

134. Transfer of Development Rights - to study issues related to the transfer of development rights.

135. Watershed Protection - to study changes that allow local communities to protect watershed areas for quality water supplies.

136. Certificates of Public Convenience and Necessity from the Public Service Commission - to study the jurisdiction of the Public Service Commission with respect to granting certificates of public convenience and necessity for new generating and transmission facilities.

137. Energy Data - to study the collection and reporting of energy data.

138. Intervener's Statute - to study intervener's status in rate case filings before the Public Service Commission.

139. Personal Information Protection - to study whether to require a business that is

conducting a transaction with a resident of the state to disclose if the business intends to sell to a third party nonpublic personal information about the resident that the business acquires, to allow the resident to restrict the information shared, and to provide a right of action for a violation. (H.B. 141)

140. Public Service Commission Elections - to study the process used in the election of members of the Public Service Commission.

141. Renewable Energy Requirements - to study requiring the Public Service Commission to make rules that require electrical corporations that sell electricity to consumers in the state to include a certain amount of electricity generated from renewable resources in the electricity that the electrical corporation supplies in the state. (H.B. 308)

142. Telecommunications Taxes - to study whether to grant a sales tax exemption for telecommunications equipment and the taxation of long distance telephone service.

143. Retirement Conversion Window - to study whether to provide a time period to apply for future conversion windows between Public Employees' Retirement System and the Public Employees' Noncontributory Retirement System. (2nd Sub. H.B. 186)

144. State Retirement System - to study the policies for different groups covered and the funding and governance of the Utah State Retirement System.

145. State-regulated Coverage of AIDS Vaccine - to study whether to require the Public Employees Health Plan and other state-regulated insurance carriers to cover the AIDS vaccine when it is available and approved by the Federal Drug Administration.

146. Utah Communication Association Network - to study bonding with the elected officials' permission and duplication of services with Information Technology Services.

147. Allocation of Local Tax Interest - to study whether to allocate to counties, cities, and towns the interest earned on taxes collected by the State Tax Commission that are imposed by a county, city, or town.

148. Capping Property Taxes - to study whether putting a constitutional cap on the amount of property tax increase a person may be required to pay and on the amount of property taxes that a taxing entity may collect.

149. Clean Special Fuel Certificates for Government Vehicles - to study whether governmental vehicles with clean fuel certificates should be required to file or have an exemption.
150. Clean Special Fuel Tax Certificates - to study the collection and enforcement of special fuels not taxed as diesel fuel.
151. Corporate Franchise Tax - to study the elimination of the Corporate Franchise Tax.
152. County Option Tax on Lands - to study a county option sales and use tax for agricultural land, open land, and watersheds.
153. Equity in Road Maintenance Costs - to study whether the owners of tangible personal property affected by the provisions of Title 59, Chapter 13, Motor and Special Fuel Tax Act, or Section 59-2-405 are paying their fair share of road maintenance costs.
154. Exemption for Agricultural Products - to study whether to have the Tax Review Commission, as part of its review of sales tax exemptions in 2002, study the exemption for agricultural products with emphasis on the definition of agricultural products.
155. Exemption for Corrective Lenses - to study whether to exempt sales of prescription eyeglasses or contact lenses from sales and use taxes.
156. Exemptions Involving Manufacturers' Coupons - to study whether to exempt from state and local sales taxes manufacturers' coupons that are presented as part of a purchase using food stamps or a WIC voucher. (S.B. 185)
157. Inheritance Tax - to study revisions to the inheritance tax in light of changes to the federal estate tax.
158. Judgment Levies and Refunds - to study the disposition of refunds if the state ever imposed a property tax. (H.B. 201)
159. Property Tax Appeal Standards - to study whether to require counties to be subject to the same standards as taxpayers in property tax appeals.
160. Property Tax Appeals - to study the process for appealing property tax assessments.
161. Property Tax Filings - to study under what circumstances applications or other filings should be required for an exemption from taxation or a reduction in value. (H.B. 305)
162. Property Tax Relief for Seniors - to study issues related to property tax relief for senior

citizens.

163. Rainy Day Fund - to study recommendations for the optimum size of the Rainy Day Fund.

164. Secondary Property Tax - to study issues related to secondary property tax.

165. Tax Credit for Education Donations - to study whether to give donations to public and higher education a 50% credit on state tax plus charitable contribution on federal tax.

166. Tax Credits for Manufacturing - to study whether to provide nonrefundable tax credits for certain manufacturing capital investments in the state. (H.B. 149)

167. Tax Deduction for Military Service - to study whether to provide an individual income tax deduction on military pay for service performed outside the state.

168. Tax on Sleeping Accommodations - to study the taxation on rentals of public sleeping accommodations.

169. Tax Relief for Higher Education Expenses - to study the availability and need for tax deductions or tax credits for higher education expenses.

170. Taxing Pass-Through Entities - to study issues related to the taxation of pass-through entities.

171. Truth in Taxation Advertising Requirements - to study whether to require that taxing entities operating on a January 1 through December 31 fiscal year publish only one advertisement rather than two advertisements before budgeting an increased amount of property tax revenue. (H.B. 146)

172. Unemployment Insurance Exemption - to study an optional exemption for corporate officers from the unemployment insurance tax.

173. Use of Highway and Motor Fuel Fees and Taxes - to study whether to amend the Revenue and Taxation Article of the Utah Constitution to expand the allowable uses of highway user and motor fuel fees and taxes. (H.J.R. 8)

174. Use of RDA Fund - to study the use of redevelopment agencies to fund the infrastructure related to convention centers within the communities creating the redevelopment agency. (S.B. 187)

175. Periodic License Plate Renewal - to study periodic license plate renewal as a method of encouraging vehicle registration.

176. School Bus Safety on Two-Lane Highways - to study whether to require school buses traveling on a two-lane highway to pull off to the side of the road when the number of cars behind them reaches a certain number as a safety measure.

177. Special Group License Plates Process - to study the process for granting special license plates, including whether to change current law to allow any group to have a special license plate if they pay all the costs at the start instead of requiring legislation for each new group.

178. Special License Plate Requirements - to study requirements for obtaining a special license plate and review the number of special license plates granted.

179. Student Driving Records - to study whether to require the Driver License Division and the State Board of Education to establish procedures to provide feedback to driver education teachers on the strengths and weaknesses of student drivers as demonstrated by their driving records.

180. Traffic Code - to study the recodification of the traffic code.

181. Use of Golf Carts on City Streets - to study whether to permit golf carts on city streets that have a posted speed limit of 25 miles per hour or less for drivers who are at least 21 years of age or disabled drivers only.

182. Disincentives to Retain Employment - to study options for addressing the incentive provided to primary breadwinners in a home to quit a second job in order to receive welfare after being terminated from their primary employment.

183. Encouraging Increased Tourism - to study the development, in coordination with the Utah Travel Council, of a plan to increase the economic contribution by tourists visiting the state.
(2nd Sub. H.B. 34)

184. Housing Authority - to study issues related to the housing authority of the association of governments.

185. Regional Workforce Services Councils - to study the makeup and number of regional councils and the power and authority of regional councils in relation to the Department of Workforce Services.

186. Unemployment Insurance - to study unemployment insurance issues, including benefits, eligibility, and taxes.

187. Welfare Reform State Comparison - to study the viability of Utah's welfare system in comparison with other states in terms of meeting the needs of those served by the system.

188. Welfare Training - to study whether limits on welfare training affect whether the needs of individuals served by the system are being met.