LEGISLATIVE INTERIM MEETINGS
Meetings were held August 15, 2012 or as noted.

Business and Labor

Alarm System Security Licensing
Reviewed draft legislation that modifies the definition of "alarm company agent" to exclude certain alarm company employees from licensing requirements.

Executive Branch Reports
Action: Approved as a committee bill, "Repeal of Reporting Requirements," which repeals various outdated reports and reporting requirements related to title insurance, the Rocky Mountain Center for Occupational and Environmental Health, the nationwide database related to mortgage licensing, and consumer education related to the Department of Financial Institutions.

Health Insurance Mandate Review
Action: Approved as a committee bill, "Repeal of Health Insurance Mandate Review," which repeals the health insurance mandate review by the Business and Labor Interim Committee and Health and Human Services Interim Committee and makes technical changes.

Implementation of H.B. 260 "Mechanics’ Liens Revisions" (2011 General Session)
Received information from parties regarding the implementation of certain features of the state construction registry. The committee also received information regarding the number of notices filed, building permits issued, and notices of completion.

Sunset Review: Hearing Instrument Specialist Licensing Act
Action: Approved a motion to reauthorize the licensure of hearing instrument specialists for an additional ten years.

Sunset Review: Insurance Department Coordination with Other States
Action: Approved a motion to reauthorize for an additional ten years the authority of the Department of Insurance to coordinate or enter into agreements with other governmental entities as provided in Utah Code Section 31A-2-217.

Child Welfare Legislative Oversight Panel
July 11, 2012

Guardian ad Litem--District Court Cases
Received a report from the Office of the Guardian ad Litem on the expected impacts of H.B. 357, “Guardian Ad Litem Amendments” (2012 General Session), that will replace appointment of a guardian ad litem from the Office of Guardian ad Litem in district court cases with appointment of a private attorney guardian ad litem.

Legislative Audit of Division of Child and Family Services (DCFS)
Received a report from DCFS on its implementation of recommendations made in the January 2011 legislative audit of the division. The division reported having implemented 12 of the 19 audit recommendations.

Child Welfare Parental Defense
Received the annual report of the Office of Child Welfare Parental Defense.

Economic Development and Workforce Services

Child Poverty and Public Assistance Data
Received a report from the Department of Workforce Services on the implementation of a new tracking system. The system will track intergenerational poverty-related data to identify at-risk children, identify trends, and assist in the development of plans to help individuals and families break the cycle of poverty. The tracking requirement is a part of S.B. 37, "Intergenerational Poverty Provisions" (General Session 2012).

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Page 8 OLRGC Redistricting Process Award
Department of Workforce Services - Organizational Changes
Received a report from the Department of Workforce Services on the incorporation of the Division of Housing and Community Development into the department, effective July 1, 2012. This change is a result of H.B. 139, "Department of Community and Culture Amendments" (2012 General Session).

Status of Child Care Report
Received a report from the Department of Workforce Services on the Child Care Assistance Program. The program provides child care assistance to low-income families to allow parents to work outside the home.

Unemployment Insurance Trust Fund
Received a report and recommendations from the Department of Workforce Services on the Unemployment Insurance Trust Fund. Money from the fund is used to provide a financial unemployment benefit of up to 26 weeks for employees who are terminated from employment through no fault of their own. The fund is financed by employer contributions based on a payroll formula.
Action: Voted to direct committee staff to open a bill file on unemployment insurance fraud and penalties.

Economic Development Task Force
July 19, 2012
Economic Development Issues
Discussed future task force meetings and issues that members would like to study. Directed staff to use the issues discussed and comments from task force members to create a draft calendar of future task force meetings.

Tourism as a Component of Economic Development
Received presentations from various tourism industry representatives regarding the impact that tourism has on economic development in Utah. The Utah Office of Tourism noted that tourism generates approximately $2.5 billion in revenues each year. The task force requested that the tourism industry representatives work with staff to identify a list of actions that the Legislature could take to encourage and facilitate economic development through tourism.

August 16, 2012
Keys to Utah Economic Development
Received a panel presentation from some of Utah's leading economists, consultants, and financiers and discussed the various factors that have made Utah one of the top states for economic vitality. Discussion focused on the strengths and weaknesses of Utah regarding economic development.
Infrastructure spending, hosting the Olympic games, investment in technology, and the creation of a "rainy day fund" are policies that have improved the state's economic vitality.
Reorganization of Administrative Support Functions Report

Received the annual, statutorily required report from the Department of Administrative Services (DAS) on whether the administrative support functions of certain executive branch departments should be performed by DAS or another executive branch agency and the feasibility of transferring administrative support functions to the department or another executive branch agency.

Draft of Boards and Commissions Bill

Reviewed draft legislation, “Boards and Commissions Amendments,” which includes the repeal of several boards and commissions created in state statute. The committee also received public comment regarding the draft legislation, including why the repeal of certain other boards or commissions should be added to the draft, and discussed criteria for considering whether the repeal of additional boards and commissions should be included in the draft legislation.

Uniform Code References

Discussed the position titles of executive branch department heads, as provided in state statute, and whether legislation should be prepared to establish uniformity in referring to these positions of authority.

Action: Directed staff to contact the executive branch to determine its level of interest and concern with the issue of varying position titles among executive branch department heads.

Staff: Art L. Hunsaker (Policy Analyst) / Emily R. Brown (Attorney) / Thomas R. Vaughn (Attorney) / Anna M. Allen (Secretary)

Health and Human Services

Parental Rights of Biological Fathers in Adoption

Considered draft legislation, “Adoption Amendments,” that relates to the notice and consent of a biological father prior to the adoption of a child.

Promoting Wellness in Medicaid

Received a report from the Department of Health on six approaches it uses to promote wellness among Medicaid enrollees. The department and a community advocacy organization suggested actions that could be taken to improve wellness efforts.

Staff: Mark D. Andrews (Policy Analyst) / RuthAnne Frost (Attorney) / Cathy J. Dupont (Attorney) / Lori R. Rammell (Secretary)

Health System Reform Task Force

July 10, 2012

Responding to the Federal Patient Protection and Affordable Care Act

Received a report from committee staff on the June 28 decision by the U.S. Supreme Court on the federal Patient Protection and Affordable Care Act.

INTERIM HIGHLIGHTS • August 2012

Among other things, the court ruled that the federal government may not penalize a state by withholding all of its federal Medicaid funding if the state fails to expand Medicaid eligibility to 133% of the federal poverty level, as required by the act. The task force discussed the implications of the decision and received 10-year estimates of the fiscal impact of expanding Medicaid from the Department of Health. The task force also received reports from the four workgroups it organized at its May meeting. The Insurance Market Issues Workgroup reported on the public input the workgroup received during statewide public hearings held June 19 at 11 locations around the state regarding the selection of an essential health benefits package. The package will include the minimum benefits that must be offered by individual and small group insurers inside and outside health insurance exchanges beginning January 1, 2014.

July 18, 2012

Responding to the Federal Patient Protection and Affordable Care Act

Received a report from the Governor’s Health Reform Implementation Coordinator advising that the executive branch has not yet decided which of the three health insurance exchange models permitted under the federal Patient Protection and Affordable Care Act (PPACA) it thinks should be implemented by the state. The coordinator noted that any decision made this year does not have to be permanent and discussed the potential impact of the November 6 general election on implementation of the act. The coordinator also answered many questions and identified key issues and concerns about how the state is responding to the requirements of the federal PPACA.

Received a report from committee staff that the federal government has not imposed a deadline on states for deciding whether to expand Medicaid eligibility as permitted under the act. The task force also received a report from committee staff on employer penalties and tax credits under the act.

August 16, 2012

Responding to the Federal Patient Protection and Affordable Care Act

Received public input and considered which health insurance plan of ten possibilities should be recommended as minimum health insurance coverage beginning in 2014.

Received reports from four workgroups working on topics of interest to the task force.

Received a report from staff on the state’s options under each of three models for implementing a health insurance exchange pursuant to the federal PPACA.

Action: Voted to recommend the PEHP Basic Plus state employee health insurance plan as the plan which the Insurance Commissioner should designate by administrative rule within 30 days as the state’s essential health benefits package under the federal PPACA.
Also voted to recommend that the state operate the reinsurance program required by the federal PPACA and to communicate that recommendation to the governor for inclusion in the November 16 health insurance exchange report due to the federal government.

Staff: Mark D. Andrews (Policy Analyst) / RuthAnne Frost (Attorney) / Cathy J. Dupont (Attorney) / Lori R. Rammell (Secretary)

Judiciary

Alimony Draft Legislation
Reviewed draft legislation, “Alimony Amendments,” which allows a court to consider fault under certain circumstances when awarding alimony.

Reviewed draft legislation, “Offer of Judgment in Civil Cases,” which provides authority for attorney and witness fees in cases tried after a settlement offer was not accepted.

Rights of Parents and Children
Received a presentation from a legislator on H.B. 161, “Rights of Parents and Children” (2012 General Session). The committee discussed compliance with legislative audit recommendations given to the Department of Human Services and the Division of Family and Child Services.

Staff: Chelsea B. Lloyd (Policy Analyst) / Jennifer K. Christopherson (Secretary)

Law Enforcement and Criminal Justice

Capital Punishment
Discussed the statutes and current process of capital punishment and the cost of imposing capital punishment versus sentencing a defendant to life without parole. The Office of the Attorney General provided an overview of the capital punishment statutes in Utah, the legal process, how Utah laws meet or exceed federal requirements, and how the process compares to non-capital offense cases. The Office of the Legislative Fiscal Analyst provided an overview of estimated costs of imposing the death penalty versus life without parole.

Forfeited Property Report
Received a report from the Commission on Criminal and Juvenile Justice regarding the equitable sharing of funds or property reported by Utah law enforcement agencies on federal asset forfeiture cases. State agencies in Utah received just over $2 million in fiscal year 2012 which is greater than the $1.8 million that state agencies reported in fiscal year 2011.

Multi-Agency Strike Force
Received a report from the Office of the Attorney General regarding the activities and accomplishments of the Multi-Agency Strike Force. The strike force is authorized in statute to combat violent crimes and other major felony crimes associated with illegal immigration and human trafficking. In fiscal year 2011, the strike force opened 158 investigations, arrested 113 suspects, dismantled 15 document mills, and seized over $1 million.

Use of Criminal Surcharges and Fines
Received a report from the Commission of Criminal and Juvenile Justice regarding the surcharges and fines that were established by statute to help fund drug enforcement activities. Last year, the Law Enforcement Operations Account and the Criminal Forfeiture Restricted Account provided Utah agencies with almost $3 million in narcotics and major crime enforcement assistance. This assistance is in addition to providing support for drug courts and prevention treatment support.

Staff: Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Attorney) / Lori R. Rammell (Secretary)

Legislative Information Technology Steering Committee
August 14, 2012

Desk Phone Contract
Reviewed the options and results from requests for proposals for desk phone contract options, including:

- Maintaining the existing phone system;
- Contracting for a hosted phone system;
- Contracting for a non-hosted phone system; and
- Using only cell phones.

Action: Directed staff to survey legislators to determine the number of phones needed and refine the costs of the phone systems based on these responses.

Mobile Phone Contract
Reviewed the results of the mobile phone request for proposals and reviewed options ranging from continuing the existing contract for mobile phones to buying phones from the Western States Contracting Alliance contract.

Action:

- Voted to continue the existing T-Mobile contract with an option for legislators to contract with Verizon and provide the option of reimbursement if neither carrier works.
- Directed staff to survey each legislator so the contracts can be negotiated.

Staff: Thomas R. Vaughn (Attorney) / Mark J Allred (IT Manager) / Samantha Coombs (Secretary)

Legislative Records Committee
August 6, 2012

GRAMA Fees
Discussed the Democratic Party’s request to waive the fee assessed for gathering information related to the Democratic Party’s Government Records and Access Management Act request regarding redistricting. The committee decided to receive and consider additional information at a future meeting.

Chair: President Michael G. Waddoups
Staff: Michael E. Christensen (Director) / Cathy J. Dupont (Attorney) / Emily R. Brown (Attorney) / Jennifer K. Christopherson (Secretary)
Natural Resources, Agriculture, and Environment

Big Game Hunting
Received a report from the Division of Wildlife Resources on opportunities for big game hunting in the state and how the division administers big game hunting tags and licenses.

Public Lands Policy Coordinating Office
Received a report from the Public Lands Policy Coordinating Office on the activities and expenditures of the office, including efforts to establish federal R.S. 2477 rights of way.

Sage Grouse Working Group
Received a report from the Public Lands Policy Coordinating Office on the activities of the Sage Grouse Working Group. The working group was established by the governor to propose ways to protect sage grouse populations and habitat in order to avoid listing under the Endangered Species Act. The working group intends to make recommendations to the governor by the end of August.

School Trust Lands
Received a report from the Children’s Land Alliance Supporting Schools on its efforts to advocate for the use of school trust lands to provide educational opportunities in the states.

Staff: J Brian Allred (Policy Analyst) / Tracy J. Nuttall (Attorney) / Kimberly A. Heiner (Secretary)

Retirement and Independent Entities

Heber Valley Historic Railroad Authority
Received a presentation from the Heber Valley Historic Railroad Authority which explained that the organization is an independent state agency responsible for operating and maintaining a scenic and historic railroad in Heber Valley.

Independent Entities Study
Received an explanation from committee staff on the legal status of independent entities and provided the handout, "A Guide to Utah’s Independent Entities." The guide inventories and explains the purposes of existing independent entities.

Public Employees Health Program (PEHP) Updates
Received an update from PEHP on Active Enrollment, the Clinical Health Information Exchange (cHIE), the Autism Pilot Program, and the U.S. Supreme Court ruling on the federal Patient Protection and Affordable Care Act.

Retirement Eligibility -- Termination of Employment
Received a briefing from the Utah Retirement Systems (URS) on the requirement that an employee must discontinue employment with all URS-participating employers in order to be eligible to retire. This restriction requires ending employment unrelated to the job from which the employee is retiring, including a position as a part-time appointed board member or a part-time elected official.

Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Samantha Coombs (Secretary)

Political Subdivisions

Associations of Government
Received a presentation explaining the purpose and the activities of Utah’s seven Associations of Government.

County Recorder Authority to Reject a Wrongful Lien
Considered draft legislation, “Wrongful Lien Amendments,” that would repeal the current statute that allows a county recorder to reject a wrongful lien within the county recorder’s scope of employment.

Government Competition with Private Enterprise
Received comments from higher education organizations, school districts, cities, towns, counties, local districts, special service districts, and the Privatization Policy Board. The comments were in response to concerns about government entities competing with private enterprise. The government entities explained the guidelines and justifications used to decide whether or not a governmental entity should engage in an activity that could be construed as government competition with private enterprise.

Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Samantha Coombs (Secretary)

Public Utilities and Technology

Federal Universal Service Fund Allocation
Received presentations by rural telecommunication providers, both electric and natural gas, about their integrated resource plans (IRPs), how those plans are used to project power needs, and the construction of resources to meet the growth demand. Those plans indicated a significant increase in energy demand and a shift of base load energy production from coal to natural gas and renewables.

Utility Integrated Resources Plans
Received presentations from regulated utility providers, both electric and natural gas, about their integrated resource plans (IRPs), how those plans are used to project power needs, and the construction of resources to meet the growth demand. Those plans indicated a significant increase in energy demand and a shift of base load energy production from coal to natural gas and renewables.

Utility Integrated Resources Plans
Received a presentation from the Utah Association of Energy Users which emphasized the importance of those IRPs incorporating future cost, reliability, and adequacy.

Received a report from the Office of Consumer Services on the complexity of IRPs, particularly with the rapid development of natural gas and the changing base fuel load for electric power plants. It concluded that the process can meet the public’s needs with improvements in selected areas by electric utilities.

Strengthening the Rural Electric Infrastructure
Received presentations by rural telecommunication providers, both electric and natural gas, about their integrated resource plans (IRPs), how those plans are used to project power needs, and the construction of resources to meet the growth demand. Those plans indicated a significant increase in energy demand and a shift of base load energy production from coal to natural gas and renewables.

Staff: Richard C. North (Policy Analyst) / Robert H. Rees (Attorney) / Tracey Fredman (Secretary)
Action: Approved as a committee bill, "Retirement Amendments," which allows an employee to retire without leaving office as an elected official or a part-time board member if the employment is not related to the elected or appointed office.

Staff: Benjamin N. Christensen (Policy Analyst) / Cathy J. Dupont (Attorney) / Peter Asplund (Attorney) / Shannon C. Halverson (Attorney) / Mark Bleazard (Fiscal Manager) / Debra Hale (Secretary)

Revenue and Taxation

Interim Study Topics

Action: Voted to open committee bill files related to the following topics:

- The time period for paying a tax, fee, or charge after a judicial decision is rendered;
- Incentives for remote sellers to collect sales and use tax;
- A personal property exemption from property taxes; and
- The use of sales and use tax revenues for water projects.

Property tax

Reviewed draft legislation, "Licensing of Property Appraisers," which creates exemptions from appraiser licensing requirements for certain property tax appeal assistance.

Revenue Collections

Received an update from committee staff on FY 2012 preliminary year-end revenue collections, which came in above projections. Corporate income taxes, in particular, were significantly above projections.

Sales and Use Tax - Internet and Other Remote Sellers

Action: Approved as a committee bill, "Joint Resolution on Remote Sales," which encourages Congress to enact legislation authorizing states to require sellers without physical nexus to collect sales taxes on its sales in the state.

Transportation Funding

Discussed a proposal to authorize local governments to impose a dedicated property tax for road maintenance.

Action: Approved a motion to consider a broad range of transportation funding alternatives at a future committee meeting and to request that the Legislative Management Committee authorize a joint meeting of the Transportation Interim Committee and the Revenue and Taxation Interim Committee to discuss transportation funding alternatives.

Staff: Bryant R. Howe (Assistant Director) / Phillip V. Dean (Policy Analyst) / Rebecca L. Rockwell (Attorney) / Samantha Coombs (Secretary)
Unified Transportation Plan
Received a presentation from Utah Metropolitan Planning Organizations regarding Utah’s Unified Transportation Plan, 2011–2040. The plan addresses state and local roads as well as transit. It also considers the need for new transportation capacity and the preservation, maintenance, and operation of transportation facilities.

Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Tracey Fredman (Secretary)

Veterans Reintegration Task Force
July 6, 2012
Services Needed for Veterans
Received reports from branches of the United States military and veterans organizations in Utah about services that veterans need in order to successfully reintegrate into civilian life. Those needs include employment, education, health care, and counseling.

State Care Agency Services for Veterans
Received initial reports from task force members who are also state agency heads about the types of services their agencies provide to veterans, including health care, human services, education, judiciary, and work force services.

(Continued next column)

State Agency Services for Veterans
July 31, 2012
Received reports from certain state agencies, including the Department of Veteran’s Affairs, the Department of Workforce Services, and the Transition Assistance Advisor / Employer Support Group for the Utah National Guard. The reports highlighted the need for additional data about the number of veterans in the state, those seeking and receiving state services, and the difficulties veterans encounter in the process.

Need and Services Subcommittee Formation
Discussed and created two subcommittees for organizational purposes. Subcommittees are charged with identifying, consolidating, and recommending how to identify and address veteran reintegration issues.

Staff: Richard C. North (Policy Analyst) / Esther Chelsea-McCarty (Attorney) / Tracey Fredman (Secretary)

Legislative Staff Awards
Staff Achievement Awards are presented at the National Conference of State Legislatures (NCSL) Annual Summit to recognize staff excellence in supporting the work of their state legislatures and strengthening the legislative institution. These awards are sponsored by the Legislative Staff Sections and the Education Staff Network. This year, at the Chicago NCSL Annual Summit, three awards honored staff members of the Office of Legislative Research and General Counsel:

Legislative Health Staff Network
The Legislative Health Staff Network recognized Mark Andrews, Office of Legislative Research and General Counsel, for his excellent service in expanding a solid base of knowledge among legislative staff, helping to design structures and processes for exchanging information for legislative health policy staff to be more effective, and for helping to create a network of colleagues and experts in the field fostering cooperative efforts to guide health policy.

Legislative Research Librarians Staff Section
The Legislative Research Librarians Staff Section recognized Shelley Day, Office of Legislative Research and General Counsel, for her dedicated service to the Utah Legislature and outreach efforts to promote legislative information and involvement for legislators, citizens, and students in various roles as Utah’s coordinator of the NCSL Legislators Back to School Program, legislative liaison and webmaster, and chair of NCSL Legislative Research Librarians.

Research and Committee Staff Section
The Research and Committee Staff Section recognized John Cannon, former Managing Policy Analyst of the Office of Legislative Research and General Counsel, for his superior work as Managing Policy Analyst and for 20 years of service providing staff support to various legislative committees, including the areas of Political Subdivisions, Government Operations, Rules, and Redistricting.
America's Legislators
Back to School Program
Utah's Legislators Rank First for Participation.

NCSL recently announced the 2011-2012 "Top 10" state participants in America's Legislators Back to School Program.

Utah’s legislators again ranked number one, with 96% participation - the highest ever. The Utah Legislature has consistently ranked in the "Top 3" since this civic education program began over a decade ago.

This ranking reflects Utah legislators' dedication in reaching out to Utah's future voters and leaders in meaningful ways.

Their interaction with students builds a deeper understanding and appreciation for the legislative process and encourages the involvement of young people in making and securing effective public policy.

OLRGC Receives Redistricting Process Award

Esri, a business providing solutions that apply geographic data, awarded the Office of Legislative Research and General Counsel the Special Achievement in Geographic Information Systems 2012 in recognition of innovative staff work on the Online Redistricting Tool.

Next Interim Day—September 19, 2012