



INTERIM HIGHLIGHTS

Office of Legislative Research and General Counsel
House Building, Suite 210 • Salt Lake City, Utah 84114 • (801) 538-1032

INTERIM LEGISLATIVE MEETINGS

Meetings were held May 20, 2009, or as noted.

Business and Labor

STUDY:

- Reviewed the role of the Business and Labor Interim Committee in the implementation of S.B. 211, "Building Code Amendments" (2009 General Session).

ACTIONS:

- Voted to send a letter from the committee to the Governor, the Utah congressional delegation, and the President of the United States expressing concerns regarding recent federal actions affecting automobile franchise agreements.
- Approved as a committee bill H.B. 1002, "Conditions for Requesting and Disclosing Information Under Employment Selection Procedures Act" (2009 First Special Session), with a statement noting the need for certain amendments.

*Chairs: Sen. John L. Valentine / Rep. James A. Dunnigan
Staff: Bryant R. Howe (Assistant Director)/Patricia Owen (attorney)
Phalin L. Flowers (secretary)*

Education

STUDY:

- Received comments from the Utah Education Network (UEN) on Internet access filtering in public schools. UEN supplies the filtering program, but public schools determine which features of the filtering program to use.

REPORTS:

- Received the following audit reports from the Office of the Legislative Auditor General:
 - A report finding that the State Board of Education is not reporting teacher pupil ratio or adult pupil ratio by grade as required by law. The State Board of Education requested a modification in the law.
 - A report identifying deficiencies in criminal background check procedures for public school employees. The State Board of Education responded that rules will be enacted to address the issue.

*Chairs: Sen. Howard A. Stephenson / Rep. Gregory H. Hughes
Staff: Constance C. Steffen & Allison M. Nicholson (analysts)/Dee S Larsen (attorney)
Glenda S. Whitney (secretary)*

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Ethics

REPORTS:

- Received a historical overview by committee staff of Utah House and Senate ethics committees' actions. Previously the Senate Ethics Committee has met only once and the House Ethics Committee has met five times. A House committee recommended action against a legislator on only one occasion.
- Received a staff presentation regarding the process of handling an ethics complaint in the Senate and House ethics committees.
- Received an overview from staff of the 50 states' ethics committees and commissions.
- Received a report from staff on constitutional issues regarding an independent ethics commission.
- Received an overview from staff of the Legislature's Code of Official Conduct (Joint Rule 6-1-102, Rules of the Fifty-Seventh Legislature, 2008) and the issues and challenges inherent in changing this code.

*Chairs: Sen. Sheldon L. Killpack & Rep. John Dougall
Co-chairs: Sen. Patricia W. Jones & Rep. Rebecca Chavez-Houck
Staff: Michael Christensen (Director)/John L. Fellows (General Counsel)/Eric N. Weeks (Deputy General Counsel)/John Q. Cannon (Managing Policy Analyst)/Chelsea Barrett (secretary)*

Government Operations and Political Subdivisions

STUDY:

- Received an overview by committee staff of the Government Operations and Political Subdivisions Interim Committee subject areas.

REPORTS:

- Received a briefing from the Division of Facilities Construction and Management on the Building Board's five-year building program, construction status reports, and funding needs.
- Received a briefing from the State Capitol Preservation Board on its duties, construction projects, and the current long-range master plan for the capitol hill complex.

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ACTIONS:

- Voted to recommend as 2009 First Special Session bills:
 - S.B. 1002, "Legal Notice Amendments"
 - H.B. 1001, "Subdivision Approval Amendments"

*Chairs: Sen. Peter C. Knudson / Rep. Craig A. Frank
Staff: Benjamin N. Christensen & Joseph T. Wade (analysts)/Christopher R. Parker & Robert H. Rees (attorneys)/Wendy Bangerter (secretary)*

Health and Human Services

STUDY:

- Identified potential interim study topics and received reports from the Department of Health, the Department of Human Services, and the Insurance Department on recommended topics.

REPORT:

- Received a report from Dr. David N. Sundwall, M.D., Executive Director, Utah Department of Health, on the status of the H1N1 influenza (swine flu) outbreak. Dr. Sundwall noted that the progression of the flu is still in its ascendancy and that the public should remain alert, though not alarmed.

ACTION:

- Approved as a committee bill "Healthy Family Partnership House Resolution," which encourages the review and development of age-appropriate materials and services to prevent and address family and dating violence.

*Chairs: Sen. D. Chris Buttars / Rep. Paul Ray
Staff: Mark D. Andrews (analyst)/Catherine J. Dupont & Thomas R. Vaughn (attorneys)
Joy L. Miller (secretary)*

Health System Reform Task Force

REPORTS:

- Received a report by Speaker David Clark on health care reform legislation passed by the Legislature and his testimony on health care reform given before a congressional committee last month.
- Received reports from the Office of Consumer Health Services and the Insurance Department on the progress of executive branch agencies in developing and implementing the Internet health insurance portal, standards for the electronic exchange of clinical health information, episode-of-care payment data, the defined contribution arrangement market, and other health care reform measures adopted by the Legislature in 2008 and 2009.

ACTION:

- Established three working groups consisting of legislators, health care representatives, and other parties. The committee also designated chairs of the working groups and reviewed duties. It is expected that the working groups will create technical advisory groups to assist them in their work.

*Chairs: Sen. Sheldon L. Killpack / Rep. David Clark
Staff: Mark D. Andrews (analyst)/Catherine J. Dupont (attorney)
Chelsea Barrett (secretary)*

Judiciary, Law Enforcement, and Criminal Justice

STUDY:

- Discussed the issue of court filing fees, and whether or not court filing fees on certain motions, including answers in civil suits, are set appropriately. The committee also discussed the public policy of potentially waiving divorce filing fees for victims of domestic violence.

REPORT:

- Received reports from the Department of Corrections, the Department of Public Safety, and the Administrative Office of the Courts regarding the implications of budget reductions from the 2009 General Session, including how the reductions are affecting programs and personnel in the departments.

*Chairs: Sen. Jon J. Greiner / Reps. Douglas C. Aagard & Lorie D. Fowlke
Staff: Stewart E. Smith & Jerry D. Howe (analysts)/Susan Creager Allred & Esther Chelsea-McCarty (attorneys)/Amanda K. Majers (secretary)*

Natural Resources, Agriculture, and Environment

REPORTS:

- Received a report from the Department of Natural Resources, the Department of Agriculture and Food, and the Department of Environmental Quality on the use of federal American Recovery and Reinvestment Act funding.
- Received a report from the Department of Environmental Quality on proposed rules concerning carbon capture and geologic sequestration of captured carbon.

ACTIONS:

- Conducted a sunset review of Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, and recommended that the act be reauthorized for ten years.
- Conducted a sunset review of Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, and recommended that the act be reauthorized for ten years.
- Conducted a sunset review of Subsection 4-23-7.5(4), regarding the Wolf Depredation and Management Restricted Account, which provides that as of June 30, 2009, all funds in this account are to be transferred to the Agricultural and Wildlife Damage Prevention Account. The committee recommended that the subsection be allowed to sunset.

*Chairs: Sen. Dennis E. Stowell / Rep. Roger E. Barrus
Staff: J. Brian Allred (analyst)/Emily R. Brown (attorney)/Joy L. Miller (secretary)*

Public Utilities and Technology

REPORTS:

- Received a report from the Bill Barrett Corporation regarding federal gas leases in Utah and the financial impact of U.S. Bureau of Land Management 2009 cancellation of 77 leases.

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- Received a report from the Utah Division of Oil, Gas, and Mining about uranium mining permitting, statutes, numbers of mines active and proposed, and the challenges in meeting state and federal regulations while advancing development.
- Received a presentation from Deseret Power addressing the cap and trade proposals before Congress in the Waxman-Markey legislation, including projected additional costs.

Chairs: Sen. Stephen H. Urquhart / Rep. Michael E. Noel
Staff: Richard C. North (analyst)/Victoria Stirling (attorney)/Tracey Fredman (secretary)

Revenue and Taxation

REPORT:

- Received reports from committee staff on the Utah economy, state tax revenue collections, and the impact on state revenue from recently enacted federal tax law changes.

Chairs: Sen. Wayne L. Niederhauser / Rep. Todd E. Kiser
Staff: Phillip V. Dean & Bryant R. Howe (analysts)/Rebecca L. Rockwell & Angela D. Oakes (attorneys)/Phalin L. Flowers (secretary)

Transportation

STUDIES:

- Received a committee staff presentation, "Transportation Funding in Utah: Where it Comes from and Where it Goes."
- Received presentations from the Utah Department of Transportation (UDOT) and the Utah Transit Authority on the use of federal American Recovery and Reinvestment Act funds received by these agencies.

REPORT:

- Received a progress report from UDOT on transportation construction projects to be completed using the \$2.207 billion bond that was authorized by S.B. 239, "Transportation Revisions" (2009 General Session).

Chairs: Sen. Kevin T. Van Tassell / Rep. Julie Fisher
Staff: Leif G. Elder (analyst)/Shannon C. Halverson (attorney)
Tracey Fredman (secretary)

Workforce Services & Community and Economic Development

STUDY:

- Discussed the issues that the Department of Workforce Services, the Department of Community and Culture, the Governor's Office of Economic Development, and committee members recommended for committee study during the 2009 Interim.

ACTION:

- Approved extending the sunset date of the Recycling Market Development Zone Act for ten years.

Chairs: Sen. Mark B. Madsen / Rep. Steven R. Mascaro
Staff: Arthur L. Hunsaker (analyst)/James L. Wilson (attorney)/Glenda S. Whitney (secretary)

DeMar "Bud" Bowman



In Memoriam

Former Representative DeMar "Bud" Bowman passed away at home with his family in the early morning hours of May 20, 2009. Bud had been ill with cancer and had been hospitalized before returning to his home Tuesday evening, May 19, 2009.

Bud Bowman was 81 years old and had served in the Utah House of Representatives for 16 years before retiring from the Legislature on December 31, 2008. Bud completed a 30-year career with the Utah Highway Patrol before being elected to the House of Representatives.

On May 20, at the beginning of the Special Session, Speaker David Clark led the House of Representatives in a moment of silence to honor the memory of Bud Bowman. Bud was praised for the effective way he represented his constituents. He was respected and loved by his colleagues in both the House and Senate and by legislative staff. He was a strong advocate for law enforcement and public safety. He chaired the Law Enforcement and Criminal Justice Committee and the Rural Development Legislative Liaison Committee.

We extend our heartfelt condolences to his wife Marilyn and his extended family.

LEGISLATIVE MANAGEMENT COMMITTEE

April 7, 2009

REPORT:

- Discussed the status of polling regarding a veto override on the two 2009 General Session vetoed bills:
 - H.B. 156, "Subdivision Approval Amendments" (Rep. C. Webb)
 - H.B. 353, "Truth in Advertising Act Amendments" (Rep. M. Morley)

ACTIONS:

- Approved topics in H.J.R. 21, Master Study Resolution for assignment to the interim committees, including two requests from legislators submitted by letter:
 - Senator Hillyard's request that "distracted driving be stepped up to a class B misdemeanor if personal injury occurs or to a third degree felony if death occurs..." was assigned to the Judiciary Interim Committee.
 - Representative Dee's request to "study whether to require a competitive bidding or similar process prior to allowing the state to participate in the Public Employees' Health Program (H.B. 451, "Public Employees' Benefit and Insurance Program Amendments" - Rep. Dee) was assigned to the Retirement and Independent Entities Interim Committee.

- Assigned the interim sunset reviews and repealers to the various interim committees.
- Interim committee dates were set for the third Wednesday of each month beginning in May and ending with November, except that in July there will be no interim committee meetings. These dates are listed on Page 3.
- Consolidated four interim committees into the following two committees:
 - Government Operations and Political Subdivisions
 - Judiciary, Law Enforcement, and Criminal Justice
- Created an Ethics Interim Committee as a joint committee that will meet in the morning on interim days.
- Approved the meeting of the Health System Reform Task Force on interim days. The committee will meet in the afternoon to avoid conflict with the Health and Human Services Interim Committee which meets in the morning.
- Approved the parking policy, which reflects current parking provisions.

Next Interim Day – June 17

*Editors: Susan Creager Allred & Stewart E. Smith
Office of Legislative Research and General Counsel*

For more information about legislative activities, visit the Utah State Legislature's website at www.le.utah.gov.

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2009 LEGISLATIVE INTERIM MEETING SCHEDULE

Month	Interim Committees	Executive Appropriations Committee	Legislative Management Committee
April	No meetings	No meetings	Tuesday 7th 1:00 p.m.
May	Wednesday 20th 8:30 a.m. & 10:45 a.m.	Tuesday 19th 1:00 p.m.	No meeting
June	Wednesday 17th 9:00 a.m. & 2:00 p.m.	Tuesday 16th 1:00 p.m.	Tuesday 16th 3:00 p.m.
July	No meetings	No meeting	No meeting
August	Wednesday 19th 9:00 a.m. & 2:00 p.m.	Tuesday 18th 1:00 p.m.	No meeting
September	Wednesday 16th 9:00 a.m. & 2:00 p.m.	Tuesday 15th 1:00 p.m.	No meeting
October	Wednesday 21st 9:00 a.m. & 2:00 p.m.	Tuesday 20th 1:00 p.m.	Tuesday 20th 3:00 p.m.
November	Wednesday 18th 9:00 a.m. & 2:00 p.m.	Tuesday 17th 1:00 p.m.	No meeting
December	No meetings	Tuesday 15th 1:30 p.m. (as required by JR 3-2-402)	No meeting

APPROVED AUDITS

Provided by Office of the Legislative Auditor General

Staffed Audits	Estimated Release Date
Insurance Fraud Division	May 2009
Department of Technology Services	June 2009
Follow-up Audit on Higher Education Personnel Budgeting	June 2009
Division of Child and Family Services Oversight	June 2009
Medicaid Payment System	June 2009
Court Records Information System (CORIS)	June 2009
Post-retirement Re-employment in Public Education	July 2009
911 Costs within Salt Lake County	August 2009
Cost of Technical Education in State Colleges and Applied Technology Centers	August 2009
Department of Workforce Services Eligibility Determination Services	August 2009
Utah Anti-discrimination and Labor Division	Date Not Determined

Future Audits in Priority Order	Date Approved
Utah Division of Consumer Protection	January 2009
Municipal Service Fund	April 2009
Health Department and Medicaid Providers	April 2009

2009 TASK FORCE INFORMATION

Extended Task Force – 2009 Interim

Health System Reform Task Force
(Meeting as an interim committee)

Task Forces Discontinued or Repealed

Immigration Interim Committee

Higher Education and Applied Technology Governance Committee

The Legislature met in Special Session on May 20, 2009 to consider the following bills, all of which passed:

- H.B. 1001 Subdivision Approval Amendments** (*Rep. R. Curt Webb*) This bill modifies county land use provisions relating to subdivisions.
- H.B. 1002 Conditions for Requesting and Disclosing Information under Employment Selection Procedures Act** (*Rep. Wayne A. Harper*) This bill modifies the Employment Selection Procedures Act regarding conditions under which identifying information may be requested and when information may be disclosed.
- H.B. 1003 Appropriations Adjustments Related to Federal Funds** (*Rep. Ron Bigelow*) This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal years beginning July 1, 2008 and ending June 30, 2009 and beginning July 1, 2009 and ending June 30, 2010.
- S.B. 1001 Forest Reserve Fund Amendments** (*Sen. Ralph Okerlund*) This bill amends provisions related to the Forest Reserve Fund.
- S.B. 1002 Legal Notice Amendments** (*Sen. Stephen Urquhart*) This bill amends legal notice provisions of the Utah Code.
- S.B. 1003 Disposition of Registration Fee Revenues** (*Sen. Sheldon Killpack*) This bill modifies the Motor Vehicle Act and the Transportation Code by amending provisions relating to the disposition of certain motor vehicle registration fee revenue.
- S.B. 1004 Supplemental Appropriations Adjustments** (*Sen. Lyle Hillyard*) This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal years beginning July 1, 2008 and ending June 30, 2009 and beginning July 1, 2009 and ending June 30, 2010.