



# INTERIM HIGHLIGHTS

Office of Legislative Research  
and General Counsel

Office of the Legislative  
Auditor General

## JUNE INTERIM COMMITTEES

### Business and Labor

**STUDY:**

- Studied the occupational and professional licensing process in Utah, including licensure and prohibitions regarding the operation of lasers.

**REPORT:**

- Received an update on the Occupational and Professional Licensure Review Committee’s study of the licensing of general building contractors.

**ACTIONS:**

- Directed staff to draft a letter to the Legislative Management Committee requesting the creation of a subcommittee of members of the Business and Labor Interim Committee and the Revenue and Taxation Interim Committee to study the issue of government competition with private industry.
- Recommended reauthorization of Title 58, Chapter 59, Professional Employer Organization Registration Act, with no sunset date.

*Chairs: Sen. Scott K. Jenkins / Rep. Stephen D. Clark  
Staff: Allison Morgan (analyst)/Patricia Owen (attorney)/Phalin Flowers (secretary)*

### Education

**STUDIES:**

- Received from the State Superintendent of Education five options regarding the potential reauthorization of the federal “No Child Left Behind” law.  
Committee members were requested to submit their comments to the House Chair or the State Superintendent.
- Received a presentation on the U-PASS Accountability Plan and a demonstration of how U-PASS School Performance Reports may be accessed on the Internet.
- Received a presentation on the costs of the U-PASS program and Cognos, a software program used by school districts and charter schools to analyze student data.

*Chairs: Sen. Howard A. Stephenson / Rep. Margaret Dayton  
Staff: Constance Steffen & Phillip Dean (analysts)/Dee Larsen (attorney)/Glenda Whitney (secretary)*

### Government Operations

**STUDIES:**

- Received a staff presentation on the impact of certain sales tax changes on local sales tax bonding and heard a response from the cities and counties. Discussed policy options to protect the ability of the legislature to make changes to the sales tax provisions.

The “Impact of Sales Tax Changes on Local Bonding” slide presentation is at the legislative website <http://www.le.utah.gov> under “Committees” on the left side of the home page and then under “Related Links” for the June 21 committee meeting.

- Received a presentation from the Division of Emergency Services and Homeland Security on plans, organizations, facilities, and systems in place in the event of a disaster and the role of state and local government.

**REPORT:**

- Received an overview on the functions and activities of the Capitol Preservation Board. Following adjournment, committee members and staff participated in a walking tour of the State Capitol Building renovation.

*Chairs: Sen. Parley Hellewell / Rep. Douglas C. Aagard  
Staff: Benjamin Christensen (analyst)/Eric Weeks (attorney)/Brooke Ollerton (secretary)*

### Site Visit August 7 & 8 - Uintah Basin

Please make your lodging reservations no later than June 30 by contacting:

Sandy Tenney in the House (801-538-1029)  
Annette Moore in the Senate (801-538-1035)

(The hotels need to release the blocked room reservations soon.)

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## Health and Human Services

### STUDIES:

- Reviewed recently passed Massachusetts legislation providing for universal health care coverage by 2009.
- Considered whether aspects of the Massachusetts approach are applicable to Utah.
- Discussed access to health insurance in the individual market, including whether insurance carriers should be prohibited from denying coverage when a policy is subsidized by the enrollee's employer.

*Chairs: Sen. Allen M. Christensen / Rep. Bradley G. Last*

*Staff: Mark Andrews (analyst)/Catherine Dupont, Thomas Vaughn (attorneys)/Joy Miller (secretary)*

## Judiciary

### REPORT:

- Received a report and discussed draft legislation regarding extending the ability to obtain a protective order to victims of dating violence.

### ACTION:

- Voted to extend the sunset date of Section 78-9-101, "Practicing law without a license prohibited – Exceptions," for five years, until 2012.

*Chairs: Sen. David L. Thomas / Rep. James A. Ferrin*

*Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Brooke Ollerton (secretary)*

## Law Enforcement and Criminal Justice

### STUDIES:

- Received presentations from staff, the Salt Lake County District Attorney's Office, and the Utah Sentencing Commission on Utah's sentencing structure and the differences between Utah's sex offender laws and Florida's "Jessica's Law," which was passed in 2005.
- Received information from private parties regarding proposed changes to the Utah Code regarding the authority of private security officers. Also received comments from the Department of Public Safety.

### REPORTS:

- The Disability Law Center (DLC) reported results of its investigation on access to programming for inmates with mobility impairments at Department of Corrections (UDC) facilities. The DLC found appropriate access is provided by the UDC.
- UDC presented information regarding the prison offender population, including the growth in drug offense commitments, the sex offender population, recidivism, the impact of treatment on offender disposition, and the costs of housing 322 non-US citizens in Utah prisons.

*Chairs: Sen. D.C. Buttars / Rep. DeMar "Bud" Bowman*

*Staff: Stewart E. Smith (analyst)/Susan Creager Allred (attorney)/Wendy Bangertner (secretary)*

## Medicaid

### STUDIES:

- Received staff briefings on the Utah's Medicaid program.
- Reviewed survey instruments prepared to collect data on Medicaid and other programs regarding health and human services.
- Received input from the Department of Health.

*(This committee met on June 14, 2006.)*

*Chairs: Sen. Sheldon L. Killpack / Rep. Merlynn T. Newbold*

*Staff: Mark Andrews (analyst)/Leif Elder (analyst)*

*William Greer (fiscal analyst)/Derek Byrne (fiscal analyst)*

*Stan Eckersley (fiscal analyst)/Debbie Headden (fiscal analyst)*

*Thomas Vaughn (attorney)/Catherine Dupont (attorney)/Phalin Flowers (secretary)*

## Natural Resources, Agriculture, and Environment

### STUDIES:

- Discussed alternative funding sources for capital improvement and operational maintenance costs at Utah's state parks.
- Discussed legislation that would establish notice, compensation, use, and bonding requirements for the operator of an oil or gas operation on a surface owner's property.

### REPORT:

- Received a report from the Department of Transportation and the Division of Wildlife Resources concerning the responsibility and costs for removal of dead animals from state highways.

*Chairs: Sen. Thomas V. Hatch / Rep. Roger E. Barrus*

*Staff: Brian Allred (analyst)/Emily R. Brown (attorney)/Joy Miller (secretary)*

## Political Subdivisions

### REPORTS:

- Received an update on the rewrite of statutes regarding independent special districts.
- Received an update from the City School Districts Ad Hoc Workgroup which is discussing issues regarding the implementation of H. B. 77 "School District Boundaries" (2006 General Session).

*Chairs: Sen. Carlene M. Walker / Rep. Brad L. Dee*

*Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Wendy Bangertner (secretary)*

### **General Session Dates and Deadlines on the Web**

Utah's General Session dates and deadlines are on the legislative website ([www.le.utah.gov](http://www.le.utah.gov)). Under "Quick Links" in the right column, select "Dates of Interest" and "General Session Dates".

The links provide reference dates for various legislative session years, including the first and last days of the selected session, the last day to request bills and the general effective date for bills.

## Public Utilities and Technology

### REPORTS:

- Received a report from the Utah Committee of Consumer Services and the Department of Commerce on the nation-wide search process and criteria for selecting a new committee director.
- Received a report from the Utah Technology Council regarding the Council's history and its promotion of development of Utah's technology industries.

The report noted that there over 3,700 technology companies employing nearly 60,000 Utahns with average wages 66% higher than the statewide nonagricultural average.

The report also identified a rapidly growing Utah technology employment market but a shortage of trained technology workers.

Venture capital to support Utah's technology industry is also growing with an increase from only two companies in the early 1980s to over ten today with approximately \$1 billion under management.

- Received a report from the newly created Utah Science, Technology, and Research Initiative (USTAR) Board regarding the need for development of Utah's science and technology assets.

The report identified research focus areas such as cancer-related drug development and treatment, in vitro diagnostics, neurological disease pharmaceuticals, and health information delivery as valuable for Utah's future.

*Chairs: Sen. Gregory S. Bell / Rep. Sheryl L. Allen*

*Staff: Richard North (analyst)/Christopher Parker (attorney)/Tracey Fredman (secretary)*

## Revenue and Taxation

### STUDIES:

- Reviewed draft legislation modifying the age and length-based uniform fees imposed on sailboats, canoes, utility boats, pontoon boats, and collapsible inflatable vessels.
- Reviewed a proposal to grant an individual income tax credit to physicians and registered nurses who donate their services to health care clinics that provide uncompensated care.
- Reviewed a proposal to grant an individual income tax credit to persons who make donations of art to the Alice Art Collection, named after Alice Merrill Horne.

### REPORT:

- Received a report on recent economic activity in Utah and on state revenue collection trends.

*(Continued next column)*

Individual income tax collections for the first 11 months of FY 2006 exceed the 12 month forecast by \$25 million, corporate income tax collections for the same period exceed forecasts by \$50 million, and sales and use tax collections are growing faster than forecasted.

*Chairs: Sen. Curtis S. Bramble / Rep. Wayne A. Harper*

*Staff: Bryant Howe & Phillip Dean (analysts)/Rebecca Rockwell & Angela D. Oakes (attorneys)*

*Phalin Flowers (secretary)*

## Transportation

### STUDIES:

- Studied transportation funding needs for new highway capacity projects, including the impact of the new transportation funds provided by the Legislature.
- Studied whether transportation needs in various state areas will be adequately addressed through the prioritization process for new transportation capacity projects and other funding mechanisms.

### REPORTS:

- Received a report from Utah Department of Transportation (UDOT) concerning the prioritized new highway capacity projects.
- Received a report from UDOT on the additions to and deletions from the state highway system currently under consideration.

*Chairs: Sen. Sheldon L. Killpack / Rep. Joseph G. Murray*

*Staff: Mark Steinagel (analyst)/Shannon Halverson & Christopher Parker (attorneys)*

*Tracey Fredman (secretary)*

## Workforce Services & Community and Economic Development

### STUDIES:

- Discussed whether officers of small S corporations should be required to contribute to the Utah Unemployment Insurance Fund.
- Discussed the Horizon Card program, which is a method of receiving public assistance, and eliminating potential program abuses.
- Discussed a proposal to increase the number of persons using the Primary Care Network premium subsidy from 1,000 to 5,000 workers.

### REPORTS:

- Received a report from the Department of Workforce Services on the increased costs of offering the General Assistance Program and discussed options for addressing funding shortfalls that could remove 600 disabled persons from the program.
- Received from the Department of Workforce Services' Office of Work and Family Life a summary of a recent study on the economic impact of Utah's child care industry.

*Chairs: Sen. John W. "Bill" Hickman / Rep. David N. Cox*

*Staff: Art Hunsaker (analyst)/Jim Wilson (attorney)/Glenda Whitney (secretary)*

## Audit Subcommittee Reports

The Audit Subcommittee of the Legislative Management Committee met at 3:00 p.m. Tuesday, June 20th. The Subcommittee heard and acted on the following audits:

- **Report #2006-06, A Performance Audit of the Utah Occupational Safety and Health Division (UOSH).** The division provides state-level safety and health assistance to Utah employees and employers. Improvements are needed in policy guidance for compliance officers, documentation of settlement terms, monitoring of staff productivity, and accounting of eligible expenditures.

The report was referred to the following committees:

Business and Labor Interim Committee  
Commerce and Revenue Joint Appropriations  
Subcommittee

- **Report # 2006-07, Southeast Utah Small Business Investment Fund Provides Some Economic Benefits.** The fund has provided some benefit to the region in the form of increased business spending and job development, but may not have resulted in a reduction of public assistance. The program has been efficiently administered. If the program is continued for the next two years, an appropriation of \$2 million will be necessary.

The report was referred to the following committees:

Workforce Services and Community and Economic  
Development Interim Committee  
Economic Development Appropriations  
Subcommittee

- **Report # 2006-04, Archaeological Surveys in Utah.** This report supports the legislative action taken in H.B. 139, "State Antiquities and Historic Sites Amendments" (2006 General Session) to separate the division's advisory and regulatory roles. Additional policy guidance will be needed to establish survey sites, supervision, and mitigation guidelines. The report also noted that agencies working in the field need to develop internal policies for cultural resources.

The report was referred to the following committees:

Workforce Services and Community and  
Economic Development Interim Committee  
Natural Resources, Agriculture, and  
Environmental Interim Committee

In addition to hearing and referring the above audits, the Subcommittee approved the following four audit requests and advanced them to future audit status:

1. Turnover Savings in Education
2. Uniform Management of Institutional Funds Act
3. Special Service Districts
4. Agencies' Use of Money Appropriated Through Fiscal Notes

All audits produced by the Legislative Auditor General are online at <http://www.le.utah.gov/audit/olag.htm>.

*For further information contact the Office of the Legislative Auditor General at (801) 538-1033.*



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For more information about legislative activities, visit the Utah State Legislature's website at: [www.le.utah.gov](http://www.le.utah.gov).

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

**Next Interim Day – July 19th**