



INTERIM HIGHLIGHTS

Office of Legislative Research
and General Counsel

Office of the Legislative
Fiscal Analyst

Office of the Legislative
Auditor General

INTERIM COMMITTEE ACTIONS

Business and Labor

REPORTS:

- Received a statutorily required report from committee staff regarding health insurance mandates.
- Received a report on the State Construction Registry from the director of the Department of Commerce and heard testimony from industry representatives.
- Received a status report on the Utah Comprehensive Health Insurance Pool Act.

*Chairs: Sen. Scott K. Jenkins / Rep. Stephen D. Clark
Staff: Mark Steinagel (analyst)/Patricia Owen (attorney)/Tracey Fredman (secretary)*

Education

STUDIES:

- Received public comment on the U-PASS Accountability Plan, which will identify schools achieving state-established performance levels.
- Received a presentation by staff on the Utah Basic Skills Competency Test and considered modification of test requirement for adults seeking a high school diploma through adult education programs.

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

Government Operations

REPORTS:

- Received a report from the Office of the Legislative Auditor General on the legislative audit process, including the types of audits performed and how these audits are initiated and prioritized.
- Received a briefing from the Division of Facilities Construction and Management on the Building Board's Five-Year Building Program, the capital budget funding history, and construction status reports.
- Received an overview of the five agencies within the committee's subject area: Governor's Office of Planning and Budget, State Auditor, Department of Administrative Services, Division of Purchasing and General Services, and Division of Risk Management.

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

Health and Human Services

STUDIES:

- Reviewed efforts by public schools and others during the past four years to address childhood obesity.
- Began the development of legislation that will attempt to balance individual liberty interests with the need to protect the public health in the event of a mass exposure to a harmful biological agent.

ACTIONS:

- Requested draft legislation to eliminate four statutory reports to the committee.
- Requested draft legislation to remove four statutes from the Sunset Act.

*Chairs: Sen. Allen M. Christensen / Rep. Bradley G. Last
Staff: Mark Andrews (analyst)/Catherine Dupont, Thomas Vaughn (attorneys)/Joy Miller (secretary)*

Judiciary

STUDIES:

- Continued discussion of the legislative audit of the Office of the Guardian Ad Litem.
- Received briefings from public and private entities and listened to testimony regarding the issuance of protective orders under the Cohabitant Abuse Act.

*Chairs: Sen. David L. Thomas / Rep. James A. Ferrin
Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Cassandra Bauman (secretary)*

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Law Enforcement and Criminal Justice

STUDY: Reviewed issues related to mortgage fraud, including identity theft, kickbacks, and other buyer and lender fraud associated with mortgages.

REPORTS:

- Received a report from the Board of Pardons and Parole on the operations and workload issues of the Board.
- Received from the Department of Public Safety an overview of the Department including the Bureau of Criminal Identification and the implementation of the driver privilege cards by the Driver License Division.

Chairs: Sen. D.C. Buttars / Rep. DeMar "Bud" Bowman
Staff: Stewart Smith (analyst)/Susan Creager Allred (attorney)/Wendy Bangerter (secretary)

Natural Resources, Agriculture, and Environment

STUDIES:

- Discussed funding and research at the Utah Agricultural Experiment Station at Utah State University.
- Discussed management of grazing and oil and gas exploration on lands owned by the School and Institutional Trust Administration and the Bureau of Land Management.
- Discussed the process for obtaining an oil and gas drilling and exploration lease and ways to expedite the process.
- Discussed issues related to wild horses in the west desert.

REPORTS:

- Received a report from the Division of Water Rights on the history of water rights policy in Utah.
- Received reports from the recently appointed directors of the Division of Wildlife Resources and law enforcement services within the Department of Natural Resources.

Chairs: Sen. Thomas V. Hatch / Rep. Roger E. Barrus
Staff: Brian Allred (analyst)/Jeanenne Larson (attorney)/Joy Miller (secretary)

Political Subdivisions

STUDIES:

- Discussed problems caused by conflicts between the building standards for health care facilities enforced by the Department of Health and the international building standards enforced by the municipalities and counties.
- Discussed the merits of allowing municipal and county building inspectors to issue civil citations to enforce the Utah Construction Trades Licensing Act.
- Discussed ways to improve compliance with the Utah Division of Air Quality's asbestos inspection and removal requirements in residential demolition and reconstruction through local government building permits.
- Discussed a proposal to make public entities exercising eminent domain responsible for the property owner's legal costs if the property owner prevails in a fair compensation court case and the property was found to be compensated at least 15% below fair market value.

Chairs: Sen. Carlene M. Walker / Rep. Brad L. Dee
Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Wendy Bangerter (secretary)

Public Utilities and Technology

STUDIES:

- Discussed potential impact of international trade agreements such as the General Agreement on Trade in Services on the state's ability to regulate utilities and other sectors such as gambling.
- Discussed international, national, and state energy production and consumption data and processes for developing a state energy policy.

Chairs: Sen. Gregory S. Bell / Rep. Sheryl L. Allen
Staff: Richard North (analyst)/Christopher Parker (attorney)/Phalin Flowers (secretary)

Revenue and Taxation

REPORTS:

- Received a report on "Governor Olene S. Walker's Recommendations on a Tax Structure for Utah's Future."
- Received a state tax revenue update. Combined General Fund/Uniform School fund revenues for FY 2005 are \$111.67 million above forecast. State Transportation Fund revenues for FY 2005 are \$9.06 million above forecast.
- Received a report on the operation of the Tax Reform Task Force. The subcommittees will review Sales and Use Tax, Individual Income Tax, Property Tax, RDA, and other taxes.

Chairs: Sen. Curtis S. Bramble / Rep. Wayne A. Harper
Staff: Bryant Howe & Phillip Dean (analysts)/Rebecca Rockwell (attorney)/Phalin Flowers (secretary)

Transportation

REPORTS:

- Received a report from Department of Transportation representatives about the managed lanes study the department conducted.
- Received an update on the Transportation Forum that was recently conducted by the Salt Lake Chamber of Commerce and other organizations.

STUDY: Reviewed current street racing laws to determine whether any action should be taken to deter street racing.

Chairs: Sen. Sheldon L. Killpack / Rep. Joseph G. Murray
Staff: Mark Steinagel (analyst)/Shannon Halverson (attorney)/Tracey Fredman (secretary)

Workforce Services & Community and Economic Development

STUDY: Discussed raising the premium subsidy for the Covered-At-Work Program, which provides a subsidy to help low income individuals to be insured.

REPORT: Received a report from the new director of the Department of Workforce Services regarding recent organizational changes in the department.

Chairs: Sen. John W. Hickman / Rep. David N. Cox
Staff: Art Hunsaker (analyst)/Jim Wilson (attorney)/Glenda Whitney (secretary)

LEGISLATIVE SITE VISIT NORTHERN UTAH

Monday, August 1
Tuesday, August 2, 2005

- The Legislative Management Committee has approved a site visit to northern Utah. The final schedule of tours, meetings, and activities will be sent to you in a few weeks.
- This Legislative Site Visit begins Monday morning in Brigham City where you are invited to meet with community leaders and discuss issues related to Box Elder County. You will visit various places depending on your committee assignments.
- You will then travel to Logan, where additional tours and meetings are planned. Monday evening is Legislator's Night at the majestic Festival of the American West. Your lodging has been reserved for Monday night.
- On Tuesday there will be tours of roads and highways, dams and reservoirs, public schools, and Utah State University. A town meeting is scheduled for Tuesday evening.
- Separate tours for spouses and children (ages 10 and older) are also being planned.

Please RSVP no later than June 13.

Representatives: Please contact Carole Peterson 801-538-1502.

Senators: Please contact Leslie McLean 801-538-1403.

LEGISLATIVE MANAGEMENT COMMITTEE

REPORTS:

- Received a report and tentative itinerary from Senator Lyle Hillyard for the August 1 and 2, 2005 legislative site visit to northern Utah.
- Received a report from the Office of Legislative Research and General Counsel (OLRGC) Information Technology Manager regarding: 1) use of the audio and video of the 2005 General Session live broadcast; 2) Internet broadcast options available to the Legislature for expanding citizen access to the Legislature; and 3) a cost estimate for correcting committee room audio problems.
- Received a report from the OLRGC General Counsel on two lawsuits involving the legislature or legislative staff: 1) in U.S.A. United Staffing Alliance v. Workers Compensation Fund, OLRGC represented a senator involved in a deposition; and 2) in Poll v. Office of Legislative Research and General Counsel, the lawsuit was dismissed and the time for appeal has elapsed.

ACTION:

- Approved the policies of the Legislative Management Committee, with two changes: 1) audio recordings of floor debates were added as permanent records of the House and Senate under the Records Retention Schedule; and 2) a fee was approved to be charged by OLRGC for technical assistance provided to the executive and judicial branches in the House building.
- Approved without change the study item requests of the following interim committees: Public Utilities and Technology; Law Enforcement and Criminal Justice; Workforce Services and Community and Economic Development; *(continued next column)*

Government Operations; Business and Labor; Revenue and Taxation; Political Subdivisions; Health and Human Services; Natural Resources, Agriculture and Environment; and Transportation.

- Approved the study items requested by the Education Interim Committee with the exception of the study request "Governor's Education Initiatives".
- Approved the Political Subdivisions Interim Committee request for a the creation of a subcommittee to study rewriting the code dealing with special districts.
- Authorized per diem for a joint meeting of the Public Utilities and Technology and the Natural Resources, Agriculture, and Environment interim committees to coordinate energy policy studies.
- Approved the request from the Executive Offices and Criminal Justice Appropriations Subcommittee chairs to hold three subcommittee meetings: May 17, October 18, and June 14 of 2005.
- Approved the policy to expand the live audio and recorded broadcast of interim committees, task forces, and standing and appropriations committees.
- Approved a letter to be signed by the President and Speaker requesting the Capital Preservation Board to purchase and install certain capital equipment to improve functionality of the sound systems in the House Building committee rooms.

*Chair: President John L. Valentine / Vice Chair: Speaker Greg J. Curtis
Staff: Mike Christensen, Director/Gay Taylor, General Counsel/Bev LeCheminant, Secretary*



Office of Legislative Research and General Counsel
House Building, Suite W210 • Salt Lake City, UT • 84114
(801) 538-1032

Office of the Legislative Fiscal Analyst
House Building, Suite W310 • Salt Lake City, UT • 84114
(801) 538-1034

Office of the Legislative Auditor General
House Building, Suite W315 • Salt Lake City, UT • 84114
(801) 538-1033

For more information about legislative activities, contact one of the legislative offices or access our website at: www.le.utah.gov

Editors: Susan Creager Allred & Stewart E. Smith

Next Interim Day - June 15th



FISCAL HIGHLIGHTS

JOHN E. MASSEY
LEGISLATIVE FISCAL ANALYST

EXECUTIVE APPROPRIATIONS COMMITTEE

CO-CHAIRS:
SENATOR LYLE HILLYARD - REPRESENTATIVE RON BIGELOW

Report: Federal Funds

Summary: Sophia DiCaro, Governor's Office of Planning and Budget, discussed the federal fund grant applications since the April Executive Appropriations Committee meeting. The listing shows 11 applications that require action by the Executive Appropriations Committee, 14 applications that have been approved by the Governor, and the tracking of 349 outstanding federal fund grants. There was some discussion of the grants that add new staff and those that require matching state funds.

Committee Action: The Executive Appropriations Committee approved the 11 applications to continue through the application process.

Staff Contact: Spencer Pratt

Report: Department of Corrections Jail Contracting

Summary: Scott Carver, Executive Director of the Utah Department of Corrections reported that the Millard County Commission decided to not expand jail space at the Millard County Jail. The expansion would have made 100 beds available to the State through jail contracting. However, Garfield County has expressed an interest in expanding jail facilities in the county. The Garfield County expansion would provide 80 additional beds. The Legislature would be required to pass another resolution to accept Garfield County's proposal.

Staff Contact: William Greer

Report: Legislating for Results

Summary: The National Conference of State Legislatures, in conjunction with the Urban Institute, presented a budget review concept called Legislating for Results. This outcome focused concept provides the opportunity to empower legislators by providing more useful budget information, providing a clearer link between budget and services, and enabling them to ask the right questions. The Office of the Legislative Fiscal Analyst (LFA) began using this concept in the last session by providing a new budget format and a more complete Compendium of Budget Information. The LFA will continue to refine this process during the 2005 interim and the 2006 General Legislative session.

Staff Contact: John Massey

UPCOMING APPROPRIATION SUBCOMMITTEE MEETINGS

2005 Interim

Executive Offices and Criminal Justice

- June 14, 2005 - Room W015 State Capitol
9:00 A.M. - 12:00 P.M.

Discussion Items: Governor's Office
Reorganization and Correctional Inmate
Housing Issues.

- October 18, 2005 - Room W015 State Capitol
9:00 A.M. - 12:00 P.M.

Discussion Items: 2006 General Session Budget
Issues and Performance Measures.

SUBCOMMITTEE MEETING SUMMARY
EXECUTIVE OFFICES AND CRIMINAL JUSTICE

CO-CHAIRS:
SENATOR DAVID THOMAS - REPRESENTATIVE DAVID HOGUE

Summary: The Executive Offices and Criminal Justice Appropriations Subcommittee met on May 17, 2005 to discuss issues related to Juvenile Justice Services and the Department of Corrections.

Blake Chard, Director of the Division of Juvenile Justice Services, reported that the number of youth in the system is growing. He explained the stress placed on the system because of population growth, especially in Tooele County and areas north of Salt Lake City. The Legislature appropriated funding in the 2005 General Session to address growth in FY 2006. The division will use this funding to expand caseload management and address the growth in Tooele County. The new owners of the leased facility on 3900 south, which provides Case Management and Observation and Assessment (O&A), have offered to expand the facility. This expansion would be helpful in consolidating the O&A, a youth in custody classroom, and provide for further possibilities to run work program operations from the site. The division also recommended moving the contracted O&A out of the Farmington facility and expand the number of detention beds at the facility. Additional Medicaid funding money would become available as a result of the realignment. The subcommittee took these proposals into consideration for the 2006 General Session due to the fact that additional State funds may be required to implement the proposals.

Scott Carver, Executive Director of the Utah Department of Corrections, gave an overview of the current inmate housing situation. Public hearings were held related to Jail Contracting, Jail Reimbursement and the Core Rate used by the Legislature to fund inmates in the county jails. Testimony was given by County Commissioners, the Sheriffs' Association, the Utah Association of Counties, and the Utah Department of Corrections. The key points expressed included:

- There is a need for additional inmate beds in the State. This need continues to grow at a rate of between 200 and 300 per year.
- Both the State and the counties benefit from jail reimbursement and jail contracting.
- All data reported for jail reimbursement funding is documented and verified.
- The Counties would like greater stability in the funding of jail reimbursement.
- The federal rate paid to house inmates is higher because it includes additional factors, e.g. depreciation and interest, that could be included in the state rate if approved by the state committee.

A report on Jail Reimbursement, Jail Contracting and the Core Rate is being prepared for the June Executive Appropriations Committee meeting.

Staff Contacts: William Greer and Gary Ricks