



# 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

**STUDY:** Reviewed potential study items including hearing an introduction of items prioritized by the Legislative Management Committee. The chairs requested that committee members indicate their study priorities.

*Chairs: Sen. Parley Hellewell/Rep. Katherine M. Bryson  
Staff: Mark Steinagel (analyst)/Patricia Owen (attorney)/Tracey Fredman (secretary)*

### Education

**STUDY:** Discussed HB 115 (2004 General Session) and the Governor's two line-item vetoes related to education.

**REPORT:** Received a report on the impacts of demographic trends and economic growth on long-range funding of public education.

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

### Government Operations

**REPORTS:**

- Received a report concerning severability in the Utah Supreme Court's decision in the *Gallivan v. Walker* case.
- Received a report concerning the use of revenue and lease revenue bonds by the state.

**STUDIES:**

- Discussed state boards and commissions and criteria for evaluating certain boards and commissions for possible repeal or consolidation. The committee directed staff to gather additional information concerning advisory boards.
- Conducted a sunset review of the Resource Development Coordinating Committee. The committee took no action.

*Chairs: Sen. John W. Hickman/Rep. James A. Ferrin  
Staff: John Cannon (analyst)/John Fellows (attorney)/Cassandra Bauman (secretary)*

**IN THIS ISSUE:**

**Pages 1-2: Interim Committee Actions**

**Page 3: Schedule of Legislative Audits**

**Page 4: Legislative Management Committee**

### Health and Human Services

**STUDY:** Reviewed potential interim study topics.

**REPORTS:**

- Received a report from the Utah Insurance Department on the effects of legislation passed in 2000 requiring health insurers to offer mental health coverage.
- Received a report from the Division of Aging and Adult Services on the policy implications of Utah's rapidly growing senior population.

*Chairs: Sen. Sheldon Killpack/Rep. Mike Thompson  
Staff: Mark Andrews (analyst)/Catherine Dupont (attorney)/Joy Miller (secretary)*

### Judiciary

**REPORT:** Received reports regarding the Co-Parenting Mediation Pilot Program, the Divorce Education for Parents Program, and a Case Processing Analysis: Utah's Mandatory Prison Sex Offenses.

**ACTION:** Established study priorities for consideration during future committee meetings.

*Chairs: Sen. David L. Gladwell/Rep. Ben C. Ferry  
Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Cassandra Bauman (secretary)*

### Law Enforcement and Criminal Justice

**ACTIONS:**

- The committee discussed the Parentage Act, SB 45 (2004 General Session), and recommended further study at a future interim meeting.
- The committee prioritized study items for 2004 interim meetings.

*Chairs: Sen. D. Chris Buttars/Rep. DeMar "Bud" Bowman  
Staff: Jami Momberger (analyst)/Susan Creager Allred (attorney)/Wendy Bangertner (secretary)*

## Natural Resources, Agriculture, and Environment

**STUDY:** The Department of Environmental Quality, Department of Agriculture and Food, and Department of Natural Resources discussed watershed management to maintain the supply of water, timber, vegetation, clean air and water, recreation, etc.

### REPORTS:

- The Division of Water Resources reported on Utah's current precipitation, snowpack, and runoff conditions.
- The Division of Forestry, Fire, and State Lands reported on the findings of the Utah Wildland Fire Task Force and discussed the wildfire outlook for 2004.

**ACTION:** The committee recommended reauthorizing the Waste Tire Recycling Act for 5 years.

*Chairs: Sen. Beverly Evans/Rep. Craig W. Butters*

*Staff: Brian Allred (analyst)/Jeanenne Larson (attorney)/Joy Miller (secretary)*

## Political Subdivisions

### STUDIES:

- Discussed the problem of inaccurate GIS (Geographic Information System) boundary data and ways to improve the accuracy of cadastral and other boundary data in the State Geographic Information Database.
- Discussed the reasons for different water rates between county and city residents served by a city water utility, and options for county residents served by a city water utility to increase their representation.
- Discussed whether tax dollars should be used to pay lobbyists hired by cities and counties.

*Chairs: Sen. Carlene M. Walker/Rep. Kory M. Holdaway*

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

## Public Utilities and Technology

### STUDIES:

- Discussed spyware legislation adopted in the 2004 General Session with input from industry representatives. This issue will be considered again for the purpose of amending the existing statute as problems are identified.
- Discussed Internet disclosure of personally identifiable information for the purpose of identifying issues critical to consumers, Internet businesses, and Internet service providers.
- Discussed Radio Frequency Identification Devices (RFIDs), including the different types of RFIDs and legislation being considered by states and the federal government. This issue will be considered again this year.

*Chairs: Sen. Leonard M. Blackham/Rep. Stephen H. Urquhart*

*Staff: Richard North (analyst)/Thad LeVar (attorney)/Phalin Flowers (secretary)*

## Revenue and Taxation

### STUDIES:

- Reviewed the property tax system for motor homes, boats, and off-highway vehicles. Considered alternative methods to impose a property tax including imposing a fee based on the age of the vehicle.
- Reviewed the apportionment of total corporate taxable income for companies doing business in more than one state including the weighting of apportionment factors.
- Reviewed the royalty imposed on harvesting brine shrimp from the Great Salt Lake.

**REPORT:** Received a state tax revenue update from the Utah State Tax Commission. For the first three quarters of FY 2004 combined General Fund/Uniform School Fund tax revenue sources are \$64.21 million over forecasts and Transportation Fund Revenues are \$6.41 million over forecasts.

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

*Staff: Bryant Howe (analyst)/Rebecca Rockwell (attorney)/Phalin Flowers (secretary)*

## Transportation

**STUDY:** Discussed current provisions and options to strengthen uninsured and unregistered vehicle laws.

**REPORT:** Received an update on the Centennial Highway Fund Program and the State Transportation Improvement Program. Eight Centennial Highway Fund projects have been delayed due to funding short-falls.

**ACTION:** Voted to support, prioritize, and proceed with the recodification of Title 41, Chapter 6, Traffic Rules and Regulations.

*Chairs: Sen. Dan R. Eastman/Rep. Joseph G. Murray*

*Staff: Benjamin Christensen (analyst)/Shannon Halverson (attorney)/Tracey Fredman (secretary)*

## Workforce Services & Community and Economic Development

**REPORT:** Received a statutorily required report from the Division of Unemployment Insurance on the new maximum weekly unemployment benefit amount and how an employer's overall unemployment insurance contribution rate is determined.

### ACTIONS:

- Requested the Department of Workforce Services prepare a detailed report on how it improved food stamp payment accuracy.
- Recommended forming a working group consisting of legislators and representatives from the Department of Workforce Services, Public and Higher Education, the Department of Community and Economic Development, and other groups to study information sharing between these entities on employment trends and the translation of that information into curriculum changes to prepare Utah's students for the current job market.
- Recommended extending the sunset date for the Department of Workforce Services to 2015.

*Chairs: Sen. Scott K. Jenkins/Rep. David N. Cox*

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

## SCHEDULE OF LEGISLATIVE AUDITS

*Office of the Legislative Auditor General*

### Reports Recently Released

Audit Name	Date Released
Schools of Deaf and Blind	February 2004
Motor Vehicles Division	February 2004
Textbook Monitoring	February 2004
Statewide Employee Incentives	February 2004

*If you would like a full copy of these recently released reports,  
please call (801) 538-1033, or visit our website at: <http://www.le.state.ut.us/audit/olaq.htm>.*

### Current Audits

Audits in Process	Estimated Completion Date*
Administrative Office of Courts	May 2004
DEQ Regulation of Waste Facilities	May 2004
License Checkoff Programs	June 2004
Bierly Removal Case	June 2004
Davis/Weber Canal Company	July 2004
Use of Technology in Education	August 2004
Division of Facilities Construction & Management	August 2004
Temporary Assistance for Needy Families (TANF) Grants	September 2004
Constitutional Defense Fund	September 2004

\*The audit completion date is only tentative and may change based on the conditions found by the audit teams.

### Future Audits

New Audits Approved
Education Association Activity
Utah Performance Assessment System for Students (UPASS)
Utah Transit Authority

The Legislative Audit Subcommittee has approved the audits listed above which will be assigned as staff become available.

## LEGISLATIVE MANAGEMENT COMMITTEE

### REPORTS:

- Received an update on *Poll v. Office Legislative Auditor General*, arising from a legislative audit of the University of Utah Medical School admissions process. The Office of Legislative Research and General Counsel has filed a motion for summary judgement on the matter asking the judge to do an *in camera* review of the two types of protected records and urging the continued protection of these audit records.
- Received an update on *State v. Utah Safe to Learn-Safe to Worship Coalition, Inc.* in which the Utah Supreme Court upheld the constitutionality of the statutory requirements that initiatives must have legal signatures from at least 26 of the state's 29 senate districts; that a voter who has signed the initiative petition may have his signature removed within the time frame and in the manner provided by law; and that initiative sponsors are required to qualify the petition for the regular election ballot "no later than one year after the application is filed." Utah Code Ann. 20A-7-202 (4) (a) (2003).
- Received notice that both the Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst will move to the new west capitol building this Friday, April 23, 2004, and will therefore be closed that day. Both offices will reopen on Monday, April 26th.

### ACTIONS:

- Moved that the Occupational and Professional Licensure Review Committee report its findings on the adequacy of acupuncture training for chiropractors required by SB 249 to the Business and Labor Interim Committee and the Health and Human Services Interim Committee; LMC moved that only the Business and Labor Interim Committee prepare recommendations to the Legislature.
- Moved that the study of hemophilia be added to the Health and Human Services Interim Committee study items.
- Moved that the Law Enforcement and Criminal Justice Interim Committee add two items to its study list for this interim: 1) the issue of guns in college dormitories; and 2) the issue of concealed weapons permits course curriculum.
- Moved that staff revise the RFP on Tuition Tax Credits by including those suggestions regarding financial impacts on the state in: 1) the letter sent to Management Committee from Representative Sheryl Allen; and 2) today's testimony given by Representative Ron Bigelow; then present the revised RFP to the Management Committee at its next meeting.



**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](http://www.le.utah.gov)

*Editors: Jami Momberger & Susan Creager-Allred*