



# INTERIM HIGHLIGHTS

Office of Legislative Research  
and General Counsel

Office of the Legislative  
Fiscal Analyst

Office of the Legislative  
Auditor General

## RECOMMENDED LEGISLATION

Bills recommended as of October 23, 2002

### Government Operations Committee

- ▶ Equal Employment Opportunity - Technical Changes
- ▶ Governor's Office of Planning and Budget Recodification and Revisions
- ▶ State Armory Board Amendments
- ▶ State General Obligation Bond Act

### Health and Human Services Committee

- ▶ Comprehensive Health Insurance Pool Amendments

### Judiciary Committee

- ▶ Competency to Stand Trial Amendments
- ▶ Parent-Time Amendments
- ▶ Sentencing in Capital Cases Amendments

### Natural Resources, Agriculture, and Environment

- ▶ Water User Notification

### Public Utilities and Technology Committee

- ▶ Energy Data Collection and Reporting

### Quasi-Governmental Entities Committee

- ▶ House Rules Resolution - Standing Committee Revision
- ▶ Joint Resolution - Rules Revisions Renaming an Appropriations Subcommittee
- ▶ Retirement and Independent Entities Committee Amendments
- ▶ Senate Rules Resolution - Standing Committee Revisions

### Transportation Committee

- ▶ Clean Special Fuel Tax Certificate - Exemption
- ▶ Seat Belt Enforcement Provisions
- ▶ Special Group License Plate Revisions
- ▶ Transportation Corridor Preservation Amendments

### Workforce Services and Community and Economic Development Committee

- ▶ Child Care Amendments
- ▶ Employment Security Act Modifications
- ▶ Workforce Services Amendments

### Child Welfare Legislative Oversight Panel

- ▶ Amendments to Child Welfare Legislative Oversight Panel and Open and Public Meetings
- ▶ Consolidation of Child Welfare Reports
- ▶ Prohibition of Coercive Restraint Therapy

### Enhancement of Public Education Task Force

- ▶ Repeal of Education Reports and Duties

### Legislative Management Committee

- ▶ Resolution Reappointing General Counsel
- ▶ Responsibilities of Legislative General Counsel

## INTERIM COMMITTEE ACTIONS

### Education

#### STUDIES:

- Reviewed an evaluation of Utah's charter schools and recommendations from the State Board of Education.
- Reviewed a study on substitute teachers in Utah, including recommendations on how to improve performance.

#### REPORTS:

- Received a report on the first year of operations of the Utah College of Applied Technology.
- Received a report on the investment performance of the State School Fund.
- Received a report on school districts' textbook needs and expenditures which included the recommendation to allow more local control of expenditures.

*Chairs: Sen. Howard A. Stephenson/Rep. Marda Dillree  
Staff: Connie Steffen (analyst)/Dee Larsen (attorney)/Wendy Bangerter (secretary)*

### Government Operations

**STUDY:** Discussed a proposal to consolidate all issuance of state bonds under the State Bonding Commission.

#### ACTIONS:

- Directed staff to prepare legislation to change the maximum percentage and structure of the Budget Reserve Account.
- Recommended draft legislation "State General Obligation Bond Act."

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

### Health and Human Services

**STUDY:** Received a recommendation from the Nursing Leadership Forum that the Legislature appropriate \$6.5 million annually to double the number of registered nurses and increase the number of nurse educators trained by the State.

#### REPORTS:

- Received a report that the State Treasurer will no longer invest monies from the multi-state tobacco settlement in tobacco securities.
- Received a report from the Division of Aging and Adult Services on the need to review the structure and delivery of government services for Utah's aging population.

**ACTION:** Recommended draft legislation "Comprehensive Health Insurance Pool Amendments."

*Chairs: Sen. Terry R. Spencer/Rep. Carl R. Saunders  
Staff: Mark Andrews (analyst)/Catherine Dupont & Stacey Snyder (attorneys)/Alicia Laughlin (secretary)*

## Judiciary

**ACTIONS:** Recommended draft legislation “Sentencing in Capital Cases Amendments,” “Competency to Stand Trial Amendments,” and “Parent-Time Amendments.”

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

## Law Enforcement and Criminal Justice

### STUDIES:

- Received information from the Salt Lake Metro Gang Unit regarding the history and current status of gangs in Utah, the connection between gangs and drugs, and the Serious and Habitual Offender Comprehensive Action Program (SHOCAP) which tries to prevent youth from engaging in further criminal and gang activity.
- Received information from the Utah Substance Abuse and Anti-Violence Coordinating Council (USAAV) regarding the success of drug courts. The Council recommended that the Legislature continue a planned approach to providing drug treatment options for offenders rather than duplicating a mandatory treatment policy that other states have adopted.

**REPORT:** Received a statutorily required report from the Commission on Criminal and Juvenile Justice regarding how costs can be reduced by further implementing intermediate sanctions in lieu of incarceration without compromising public safety.

*Chairs: Sen. D. Chris Butters/Rep. DeMar “Bud” Bowman*  
*Staff: Chyleen Arbon (analyst)/Susan Creager Allred (attorney)/Alicia Laughlin (secretary)*

## Natural Resources, Agriculture, and Environment

### REPORTS:

- Received a report from the Utah State University Extension Service on the services it provides and the challenges it is facing.
- Received a report from the Utah Agricultural Experiment Station and discussed specific issues related to funding the Utah Climate Center and the accreditation of the Utah Veterinary Diagnostic Laboratory.
- Received a report from a task force within the Department of Agriculture and Food which is studying the implementation of a Utah Milk Commission.

**ACTION:** Recommended draft legislation “Water User Notification” which modifies certain water rights notification requirements.

*Chairs: Sen. Parley G. Hellewell/Rep. Bradley T. Johnson*  
*Staff: Brian Allred (analyst)/Jeanne Larson (attorney)/Joy Miller (secretary)*

## Political Subdivisions

### STUDIES:

- Received a report from Utah's seven Associations of Governments regarding their purpose and services provided.
- Received a status report on the process for coordinated development of land use plans protecting watersheds within the State.
- Discussed municipal annexation as it relates to the expansion of emergency medical services and ambulance services to annexed areas and as it relates to process changes to existing licenses.
- Discussed allowing criminal background checks for employees of water districts.

*Chairs: Sen. Carlene M. Walker/Rep. David L. Hogue*  
*Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Joy Miller (secretary)*

## Public Utilities and Technology

### STUDIES:

- Received a presentation regarding the principles followed by the Information Technology Commission in studying the proposed enterprise management of state information technology.

### REPORTS:

- Received a report on state incentives for public and private sector entities, including nationwide summary information.
- Received information regarding the disclosure and protection of nonpublic personal information.
- Received information regarding proposed changes to the Interlocal Cooperative Act to allow additional power generation facilities to be built.

**ACTION:** Recommended draft legislation “Energy Data Collection and Reporting.”

*Chairs: Sen. Leonard M. Blackham/Rep. John E. Swallow*  
*Staff: Richard North (analyst)/Patricia Owen (attorney)/Jennifer Markham (secretary)*

## Revenue and Taxation

### STUDIES:

- Reviewed the Utah Supreme Court's ruling of *Heritage Convalescent Center v. Utah State Tax Commission*.
- Reviewed the Resort Community Sales and Use Tax.
- Reviewed draft legislation “Property Tax Modifications.”
- Reviewed a proposal to grant favorable state tax treatment to taxpayers who invest in certain qualified Utah businesses.
- Reviewed a proposal to grant individual income tax and corporate income tax credits to taxpayers who make donations to foundations operated by school districts.

**REPORT:** Received a state revenue update from the State Tax Commission. For the first quarter of FY 2003, combined General Fund/Uniform School Fund Revenues are \$3.06 million below target, while Transportation Fund Revenues are \$6.23 million above target. Employment growth, non residential construction, and gross taxable sales continue to slump.

*Chairs: Sen. Curtis S. Bramble/Rep. Wayne A. Harper*  
*Staff: Bryant Howe (analyst)/Rebecca Rockwell (attorney)/Sandra Wissa (secretary)*

## Transportation

### STUDIES:

- Discussed draft legislation "Child Restraint Safety Devices."
- Discussed draft legislation "Seat Belt Requirements."

**REPORT:** Received an update on the Centennial Highway Fund and the Statewide Transportation Improvement Program.

### ACTIONS:

- Recommended draft legislation "Special Group License Plate Revisions" which prohibits new types of special group license plates unless the Motor Vehicle Division receives a start-up fee or an appropriation to cover the start-up fee.
- Recommended draft legislation "Seat Belt Enforcement Provisions" which clarifies that the driver or a passenger who is 19 years of age or older may be cited in a secondary action for a safety belt violation.
- Directed staff to draft legislation to increase criminal fines for repeat DUI offenders.

*Chairs: Sen. David H. Steele/Rep. Joseph G. Murray*

*Staff: Benjamin Christensen (analyst)/Gay Taylor (attorney)/Shannon Halverson (committee staff)  
Wendy Bangerter (secretary)*

## Workforce Services & Community and Economic Development

### ACTIONS:

- Recommended draft legislation "Workforce Services Amendments," "Employment Security Act Modifications," and "Child Care Amendments."
- Directed staff to draft legislation on a contingent tax credit for venture capital funds to be discussed at the November interim meeting and to distribute the legislation to the Information Technology Commission.

*Chairs: Sen. Beverly Evans/Rep. Richard M. Siddoway*

*Staff: Jami Momberger (analyst)/Jim Wilson (attorney)/Jennifer Markham (secretary)*

## LEGISLATIVE MANAGEMENT COMMITTEE

**REPORT:** Received a draft proposal from staff that establishes criteria for placing documents on the Legislature's website. The Committee discussed the proposal and decided to postpone any action until the November meeting.

### ACTIONS:

- Recommended unanimously that the Division of Facilities Construction and Management (DFCM) execute the \$1,000,000 settlement agreement recommended by Joseph A. Jenkins, Director, DFCM. This settlement agreement is between Clark Mechanical, which is a subcontractor of Bud Bailey Construction, and the state regarding the building of the Olympic Village (housing for Olympic athletes) which is now used as student housing at the University of Utah. The agreement stipulates that DFCM and the University of Utah each pay \$350,000, with the balance coming from the insurance company representing the architectural firm Design West.
- At the request of the Executive Appropriations Committee, voted to request that the Legislative Auditor General conduct a more thorough audit of the state Chief Information Officer and the Division of Information Technology Services. Specifically, the request asks that the following issues be examined: conflicts of interest, software purchases, gag orders, violations of Department of Human Resource Management rules, the ombudsman practice and protection of state employees, additional legislation that may be necessary to provide open access to the Legislature, problems already raised by the current audit, and any other issues raised during the course of the future audit.



## **NEW!** Utah State Legislature's KIDS PAGE



The latest buzz about the Utah State Legislature is its new Kids Page website. The Legislature created the Kids Page to help children learn about Utah's government and how they can become more involved. Centered around Utah's motto of industry and the beehive emblem, the website offers basic information about the Utah State Legislature and the legislative process.

The Kids Page uses many tools to help children become acquainted with the legislative branch of government and its functions, with activities such as crossword puzzles, word searches, matching words, word scrambles, and jigsaw puzzles. A short story illustrates how a single person can impact his or her own community in a positive way. While this site

continues to evolve and expand, it is a good beginning for students and teachers to learn about and become more involved in the legislative process. The Legislature hopes to work closely with the education community to expand the new Kids Page to meet civic education needs of teachers in the classroom.

In keeping with Utah's motto of industry, the Kids Page encourages Utah's future voters and leaders to be active and involved in the democratic process. It also offers legislators a fun way to interact with students in the classroom. The Utah State Legislature's Kids Page website is: <http://www.le.state.ut.us/kids/kids.html>. Buzz on inside!

## WHO CAN PUT A COMMITTEE NOTE ON A BILL?

H.J.R 2, "Rules Resolution - Committee Notes on Bills," which passed in the 2002 General Session, defines which committees qualify to have their recommendations printed on bills as committee notes. There are two different types of committee notes: legislative committee notes and mixed committee notes.

	<b>Legislative Committee Note</b>	<b>Mixed Committee Note</b>
<b>Definition of Committee</b>	A committee, commission, task force, or other policy or advisory body that is created by statute, legislation, or by the Legislative Management Committee and that is <u>composed exclusively of legislators</u>	A committee, commission, task force, or other policy or advisory body that is created by statute, legislation, or by the Legislative Management Committee and that is <u>composed of legislator members and nonlegislative members</u>
<b>Composition of Note</b>	Recommends the bill	1) Recommends the bill 2) Number of legislators and nonlegislators on committee 3) Number of legislators who voted for and against recommending the bill



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For more information about legislative activities, contact one of the legislative offices or access our website at: [www.le.state.ut.us](http://www.le.state.ut.us)

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