



INTERIM HIGHLIGHTS

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

LEGISLATIVE INTERIM MEETINGS

Meetings were held Wednesday, September 18, 2013, or as noted.

Administrative Rules Review Committee

July 23, 2013

Testing for and Diagnosing Dyslexia

Discussed whether persons with certain training and experience, other than persons licensed in the state of Utah to practice psychology, should be authorized to test for and diagnose dyslexia.

July 29, 2013

Testing for and Diagnosing Dyslexia

Continued the discussion begun in the July 23 meeting of whether persons with certain training and experience, other than persons licensed in Utah to practice psychology, should be authorized to test for and diagnose dyslexia.

September 16, 2013

Administrative Rulemaking Amendments

Discussed draft legislation "Administrative Rulemaking Amendments," which:

- Clarifies the penalty for an agency's failure to timely comply with the five-year administrative rules review statutory requirements;
- Modifies the five-year review filing requirements; and
- Provides that the Division of Administrative Rules' failure to give an agency notice of a five-year review deadline does not exempt an agency from complying with the provisions of the bill.

Rules to Implement 2013 General Session S.B. 61, "Hunting Permits Amendments"

Received an explanation from the Division of Wildlife Resources regarding why administrative rules required by the passage of 2013 General Session S.B. 61 will not be submitted for publishing by the statutory deadline.

Rules Governing the Ordering of Alcoholic Beverages at Restaurants

Discussed the enforcement of the current statute and related administrative rules requiring that prior to being served alcoholic beverages, a restaurant patron must provide verification that the patron intends to dine.

*Chairs: Rep. Curtis Oda / Sen. Howard A. Stephenson
Staff: Art L. Hunsaker (Policy Analyst) / Christine R. Gilbert (Associate General Counsel) / Tracey Fredman (Secretary)*

Business and Labor

Credit Service Organization Definition

Received comments from a legislator and the public regarding the regulation of credit service organizations and similar organizations under Title 13, Chapter 21, Credit Service Organization Act, and Title 13, Chapter 42, Uniform Debt-Management Services Act.

Health Insurance — Prior Authorization for Prescription Drugs

Received a presentation on the implementation of 2013 General Session H.B. 323, "Health Insurance Prior Authorization," which directs the Insurance Department, in cooperation with other organizations, to review the process for the prior authorization of prescription drugs.

Staff and Training Requirements for Taverns

Received a presentation from a legislator regarding the need for adequate health and safety training and staffing levels for establishments licensed as taverns by the Department of Alcoholic Beverage Control.

State Construction Registry

Received background information and public comment on issues associated with the implementation of recent changes to the state construction registry under Utah Code Section 38-1a-201.

Sunset Review — Notice of Trustee Sale and Posting of Notice

Action: *Approved as a committee bill, draft legislation "Sunset Act Amendments," which reauthorizes for an additional two years certain provisions related to a notice of a trustee's sale for a residential rental property.*

*Chairs: Rep. James A. Dunnigan / Sen. Curtis S. Bramble
Staff: Bryant R. Howe (Assistant Director) / Christine R. Gilbert (Associate General Counsel) / Patricia Owen (Associate General Counsel) / Jennifer K. Christopherson (Secretary)*

IN THIS ISSUE:

Pages 1-9 Summaries of Legislative Meetings

Child Welfare Legislative Oversight Panel

September 19, 2013

Foster Care

Received recommendations for improving Utah's foster care system from youth who have been in foster care.

Legislative Audit

Received a report from the Office of the Legislative Auditor General on its February 2013 audit of Utah's child welfare system. Received a report from the Division of Child and Family Services on its response to recommendations made in the audit.

Parental Defense

Considered whether the state should adopt the American Bar Association's standards of practice for attorneys representing parents in child abuse and neglect cases as statewide standards for attorneys participating in Utah's Child Welfare Parental Defense Program. Received comments and recommendations from two parental defense attorneys, including a recommendation that any standards be applied to private as well as court-appointed counsel.

Prescription Drugs

Received comments from a family rights organization suggesting that medical practitioners in Utah may be prescribing antipsychotic drugs excessively to children in foster care.

Chairs: Sen. Allen M. Christensen / Rep. Johnny Anderson

Staff: Mark D. Andrews (Policy Analyst) / Lee A. Killian (Associate General Counsel) / Lori R. Rammell (Secretarial Supervisor)

Economic Development and Workforce Services

Community Development and Renewal Agencies

Received presentations from committee staff, Sandy City, the Housing and Community Development Division, and the Utah State Office of Education on community development and renewal agencies.

These agencies are created at county and city levels to undertake or promote urban renewal, economic development, or community development through tax-increment financing, which allows property tax collected for a project area in excess of a base-year tax amount to be paid directly to the agency instead of to traditional taxing entities for an extended period of time. The impact of lost revenue on the taxing entities, such as school districts, was discussed.

Housing and Community Development Programs

Received a briefing from the Housing and Community Development Division on its operations and functions. The division administers the Permanent Community Impact Fund, the Olene Walker Housing Fund, and several other programs that serve local government, community organizations, and citizens.

The division assists communities with:

- Infrastructure;
- Bonding;
- Affordable housing;
- Basic community services; and
- Community welfare issues, including hunger, homelessness, and home heating.

Most of the division's programs are overseen by a board that administers grants, loans, and investments.

Legislative Hearing for the Community Services Block Grant Program

Received information from the State Community Services Office, Department of Workforce Services. In accordance with federal law, a state must hold a legislative hearing once every three years in conjunction with the development of the state plan for the community services block grant.

Single Audit Management Letter Findings

Received a report from the Department of Workforce Services on the annual audits of the department conducted by the state auditor. As part of the audit, 16 findings and recommendations were made related to inadequate internal controls, eligibility and cost allocation errors, and other deficiencies for the year ending June 30, 2012. The department explained to the committee its efforts to make improvements based on the findings and recommendations in order to prevent these issues from recurring.

Tourism Marketing Performance Account

Received a briefing from the Governor's Office of Economic Development and the Utah Office of Tourism and Film on the Tourism Marketing Performance Account. The account provides that a portion of the state sales and use tax revenue is deposited for statewide advertising, marketing, and a branding campaign to promote the state.

The amount set aside for the account was \$12 million for FY 2014. The annual increases built into the statutory formula are due to expire at the end of FY 2016, which will cap the annual amount going into the account at \$18 million, beginning in FY 2017.

Action: Directed committee staff to obtain information from the Utah Office of Tourism and Film on developing recommendations for the Tourism Marketing Performance Account.

Unemployment Insurance Program

Action: Directed committee staff to prepare legislation regarding unemployment insurance amendments as recommended by the Department of Workforce Services.

Unmanned Aerial Systems Manufacturing Potential

Received a briefing from the Governor's Office of Economic Development on the use of unmanned aerial systems for

military and commercial purposes. The office said that Utah is pursuing economic development opportunities regarding the manufacturing of unmanned aerial systems and related business activities.

*Chairs: Rep. Rebecca P. Edwards / Sen. Aaron Osmond
Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Associate General Counsel) / Debra Hale (Secretary)*

Economic Development Task Force

August 22, 2013

Utah Infrastructure and Energy Needs

Received presentations on Utah's infrastructure and energy needs from the Utah Department of Transportation, Salt Lake City Department of Airports, Utah Transit Authority, Division of Water Resources, Division of Drinking Water, Public Service Commission of Utah, Rocky Mountain Power, and Questar Corporation. Economic development depends on an infrastructure that can support anticipated populations and the future demands of business and industry. Presenters explained the status of Utah's infrastructure and current and future infrastructure needs.

Utah's Economy and Basic Infrastructure

Received a presentation from the Office of the Legislative Fiscal Analyst on Utah's economy. The economy is tied to the ability of the state to build, operate, and maintain an efficient infrastructure. Planned, strategic investment in infrastructure has helped Utah's economic success and is critical to its future.

September 19, 2013

Air Quality Mitigation by Government Entities

Received a presentation on air quality mitigation by government entities from the Salt Lake Chamber of Commerce and from a member of the task force who was the sponsor of H.B. 168, "Air Quality Mitigation by Government Entities," which passed during the 2013 General Session. The bill required each state agency to report on current efforts and future plans to improve air quality in the state. The submissions have been summarized in "Air Quality Mitigation Efforts and Future Plans of Government Entities."

Division of Air Quality Recommendations

Received recommendations from the Division of Air Quality regarding ways air quality can be improved in the state. Division recommendations include support for the proposed new State Implementation Plan, funding for air quality research, division staffing for the Uintah Basin, and additional enforcement of air quality standards.

Potential Task Force Recommendations

Discussed potential task force recommendations for inclusion in the final task force report due to be presented at the November interim meetings. The chairs asked task force

members to provide ideas for potential recommendations to further economic development in Utah.

*Chairs: Sen. Stuart C. Reid / Rep. Brad R. Wilson
Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Associate General Counsel)
Jennifer K. Christopherson (Legislative Secretary)*

Education

Teacher Preparation and Changing Student Demographics

Received a presentation from committee staff on student test results by demographic characteristics and the demographic characteristics of school districts and charter schools.

Also received presentations on how educators are being prepared to teach, taking into account Utah's changing demographics, from the following:

- The Utah Council of Education Deans, which described how public and private higher education institutions across the state are preparing students to be effective teachers in the classroom;
- The state superintendent of public instruction, who discussed teacher licensing, which the State Board of Education oversees;
- A school district superintendent and school district human resources administrator who each hire teachers; they described efforts and initiatives in their districts to provide quality instruction for all students; and
- A new teacher, who gave her perspective on how well she was prepared to meet the challenges of the classroom.

UPSTART Pilot Program

Received a report from the Waterford Research Institute, the contractor providing the state's UPSTART pilot program, which is a home-based educational technology school readiness program enacted by the Legislature in 2008.

Also received a report from an evaluator of the program, who stated that the program has value regarding the development of school readiness for preschool children.

*Chairs: Rep. Francis D. Gibson / Sen. Stuart C. Reid
Staff: Allison M. Nicholson (Policy Analyst) / Constance C. Steffen (Policy Analyst) / Angela Oakes Stallings (Associate General Counsel) / Debra Hale (Secretary)*

Education Task Force

August 27, 2013

Education Governance

Received presentations from task force staff on Utah's current governance structure for public K-12 and higher education systems and reviewed governance models for these systems in other states.

Perspectives on Student Achievement

Received a summary report prepared by task force staff that compiles and synthesizes the input from various stakeholders who presented to the task force in previous meetings on their

determination of the main factors affecting student achievement.

Action: Requested that the chairs write a letter to interested parties asking that they prioritize and come to a consensus on the most important in-classroom elements affecting student achievement, and then report back to the task force.

Chairs: Speaker Rebecca D. Lockhart / President Wayne L. Niederhauser
Staff: Allison M. Nicholson (Policy Analyst) / Constance C. Steffen (Policy Analyst) / Angela Oakes Stallings (Associate General Counsel) / Debra Hale (Secretary)

Federal Funds Commission

September 17, 2013

Working Group Reports

Received reports from the following commission working groups:

- Health and Human Services;
- Education;
- Local Governments; and
- General Risk Assessment.

Chair & Vice Chair: Sen. Deidre M. Henderson / Rep. Ken Ivory
Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Associate General Counsel) / Sara J. Thomas (Secretary)

Government Communications Task Force

August 22, 2013

Next Generation 911 Services

Received an explanation from CenturyLink regarding the Next Generation 911 and the federal guidelines to upgrade 911 systems to accommodate new communication technologies. The presentation reviewed what has been completed in Utah regarding Next Generation compliance; what else needs to be done; and the compliance challenges for state and local government and emergency responders.

Fees Collected with Telephone Bills

Received reports from the Public Service Commission, Utah Poison Control Center, and Department of Public Safety regarding how the following fees, which are collected with telephone bills, are being used:

- Telecommunication Relay Service Fund fee of \$0.06 per access line;
- Utah Poison Control Center fee of \$0.07 per access line; and
- State 911 fee of \$0.08 per access line.

September 16, 2013

Estimates for Dispatcher Systems Replacements

Received a presentation from the Department of Technology Services and the Utah Communications Agency Network regarding an estimate of the costs needed to replace the systems used by public safety dispatchers to notify

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emergency responders of a 911 call for help.

Historical Data and Analysis of 911 Fees and Certain Other Public Safety Fees

Received an explanation from the Utah State Tax Commission regarding collection and distribution anomalies of certain fees, primarily in the FY 2012 data.

Unified Statewide 911 Legislative Report from 2012

Received an explanation of the state 911 committee, its purposes, current projects, goals, and challenges.

Chairs: Rep. Brad L. Dee / Sen. Wayne A. Harper
Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Associate General Counsel) / Tracey Fredman (Secretary)

Government Operations

Federal Funding Cuts Affecting State Agencies

Discussed ways to address federal funding cuts to state agencies when the cuts are not accompanied by a reduction in federal mandates or a decrease in the demand for services.

Candidate Certification Amendments

Action: Approved as a committee bill, draft legislation "Candidate Certification Amendments," which, for the 2014 calendar year only, amends provisions of Utah Code Title 20A, Election Code, relating to the deadlines to certify candidates for a primary election.

Local School Board Disclosures

Discussed whether reporting deadlines for candidates of a local school board should match county or state reporting deadlines. Local school board candidates have the same reporting deadlines as state school board candidates, but local candidates report to the county, not the state.

Special Election Dates

Received briefings from the Office of the Lieutenant Governor, the County Clerks Legislative Policy Committee, and the Utah League of Cities and Towns about the dates on which a statewide or local special election may be scheduled.

Statutorily Required Reports from the Office of the Lieutenant Governor

Received statutorily required reports from the Office of the Lieutenant Governor on:

- Election day voting centers;
- Voting by mail;
- Voter information pamphlet notices; and
- Signing an online petition.

Chairs: Rep. Jack R. Draxler / Sen. Margaret Dayton
Staff: Leif G. Elder (Policy Analyst) / Thomas R. Vaughn (Associate General Counsel) / Anna M. Allen (Secretary)

Health and Human Services

Long-term Care Insurance

Action: Approved as a committee bill, draft legislation

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“Long-term Care Partnership,” which requires the Utah Department of Health to amend the state’s Medicaid plan to create a qualified long-term care insurance partnership, as defined in federal law.

Medicaid Accountable Care Organizations

Received a report from the Utah Department of Health that its January 1 transition of 170,000 Medicaid recipients on the Wasatch Front from three service payment and delivery models to an accountable care organization model has been smooth except that some children receiving home health care services have been required to obtain new providers. The department reported that it is looking to eventually include long-term care services, dental services, and mental and behavioral health care services in the model.

Medicaid Dental Pilot Program

Received a report from a legislator and the Utah Department of Health advising that the Medicaid pilot program authorized by the Legislature in 2012 to increase the number of dentists available to Medicaid clients has not been implemented because the Legislature did not appropriate funds for the program.

State and Federal Health Reform

Received a report from committee staff stating that:

- Employers must notify their employees by October 1, 2013, about the federal Health Insurance Marketplace, which will open the same day; and
- The IRS has ruled that individuals who have household incomes of up to 138% of the federal poverty level and live in a state that does not increase its maximum income limit for Medicaid eligibility to the same level as permitted by the federal Affordable Care Act, will not be subject to the act’s penalty for failure to enroll in qualified health insurance.

Chairs: Rep. Paul Ray / Sen. Evan J. Vickers

Staff: Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Associate General Counsel) / Lee A. Killian (Associate General Counsel) / Samuel C. Johnston (Associate General Counsel) / Lori R. Rammell (Secretarial Supervisor)

Health Reform Task Force

July 18, 2013

Responding to the Federal Patient Protection and Affordable Care Act

Reviewed a letter from the president of the Senate, the speaker of the House, and the task force chairs responding to a request from the US Department of Health and Human Services, which requested comment on “whether a state that elects to operate a SHOP but not an individual market exchange ... should be eligible to establish a risk adjustment program [under the federal Affordable Care Act].” The letter asks the department to allow states like Utah, that have elected to operate only one exchange, to operate a risk adjustment program in both the individual and small employer group markets.

Received a report from the Utah Insurance Department on a contract it recently entered into for a study to determine whether and how a state-operated risk adjustment program should be implemented in Utah. The report is to be completed by September 17.

Received a report from task force staff on the hundreds of pages of federal Affordable Care Act regulations proposed or finalized over the past month.

Received a report from the Utah Insurance Department stating that it plans to adopt the federal government’s navigator training program for the purpose of licensing health insurance exchange navigators under Utah’s licensing law.

Received a report from the Public Employees Health Program about online tools it has recently made available to enrollees. The tools are designed to reduce program costs by educating enrollees on how to reduce medical costs and by allowing them to compare the cost and quality of various medical procedures and medications.

August 22, 2013

State and Federal Health Reform

Received two briefing papers produced by the Office of Legislative Research and General Counsel, “Implementation of the Affordable Care Act: The Utah Model for Implementing Exchanges” and “Implementation of the Affordable Care Act: Medicaid Expansion Options and Their Impacts.”

Received a report from task force staff that four entities have been awarded grants to educate and assist consumers who may be eligible to participate in the federal government’s health insurance exchange, which begins operating in Utah on October 1, 2013. Grants have been approved for the Utah Health Policy Project (\$407,788), the Utah AIDS Foundation (\$126,258), Cardon Health Care Network (\$238,000), and the National Council of Urban Indian Health (\$35,000).

Received a report from the Utah Insurance Department stating that it has completed its review of plans that health insurers wish to offer in either the federal or state health insurance exchanges that begin October 1, 2013. The reviews are subject to final approval by the US Department of Health and Human Services. The department reported that six insurers plan to participate in the federal exchange and three plan to participate in the state exchange. The department provided a preliminary analysis of rates for certain plans to be offered in the federal exchange.

The Department of Workforce Services and the Department of Health reported that they will both be ready for the October 1 implementation of health insurance exchanges under the Affordable Care Act. However, the Department of Workforce Services expressed concern that in the event the federal government is unable to have its “data hub” running by

October 1, there are no contingency plans by the federal government for moving information between the federal exchange and the department.

Received reports from the Department of Health and the Public Employees Health Program on the work of executive branch committees developing proposals under the Affordable Care Act's State Innovation Models Initiative. The work is funded by a \$1 million federal grant and addresses technology, health information, prevention and wellness services, payment reform, quality, and patient safety.

*Chairs: Sen. Allen M. Christensen / Rep. James A. Dunnigan
Staff: Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Associate General Counsel) / Samuel C. Johnston (Associate General Counsel) / Lori R. Rammell (Secretarial Supervisor)*

Judiciary

Court Fees for Political Subdivisions

Received a presentation from a legislator on draft legislation "Court Fees for Political Subdivisions," which would provide for an agency or political subdivision to pay a defendant's court costs if a defendant prevails on an appeal regarding a violation of an ordinance.

The League of Cities and Towns and the Administrative Office of Courts presented additional policy considerations associated with the draft legislation, including filing fees and costs, definition of an ordinance, and placement within the Utah Code.

Reciprocal Provisions for Birth Fathers

Received a presentation from a legislator on a concept for legislation aimed at providing reciprocal provisions for birth fathers who register in their home state to perfect their rights regarding an adoption.

Right to a Jury Trial in Termination Cases

Received a presentation from a legislator on an interim study item based on 2013 General Session H.B. 313, "Rights of Parents and Children Amendments." The committee discussed the concept of legislation that would allow a parent who has been served with a petition for termination of parental rights to request a jury trial.

*Chairs: Rep. Kay L. McCliff / Sen. Mark B. Madsen
Staff: Chelsea B. Lloyd (Policy Analyst) / Esther Chelsea-McCarty (Associate General Counsel) / Jennifer K. Christopherson (Secretary)*

Law Enforcement and Criminal Justice

Committee Priority Study Items

Received presentations from several legislators regarding the status of six priority interim study items:

- Disabled law enforcement officer benefits;
- Salary comparison between the Utah Highway Patrol and other law enforcement agencies;
- Statewide access to law enforcement records;
- Internet sales of nicotine;
- Sex offender registry; and
- Gateway pornography.

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Forfeited Property Report

The committee received a report from the Commission on Criminal and Juvenile Justice regarding the equitable sharing of funds and the property reported by Utah law enforcement agencies on federal asset forfeiture cases. State agencies in Utah received just over \$1.1 million in FY 2013, which is lower than the \$2.0 million that state agencies reported in FY 2012. Over the past five years, Utah has received an average of \$1.3 million each year from this program.

Multi-agency Strike Force

The committee received a report from the Office of the Attorney General regarding the activities and accomplishments of the Multi-agency Strike Force. The strike force is authorized in statute to combat violent crimes and other major felonies associated with illegal immigration and human trafficking. In FY 2012, the strike force opened 173 investigations and arrested 57 suspects.

*Chairs: Rep. Curtis Oda / Sen. Todd Weiler
Staff: Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Associate General Counsel) / Lori R. Rammell (Secretarial Supervisor)*

Legislative Information Technology Steering Committee

August 20, 2013

Enhancements to Technology Capabilities in Legislative Committee Rooms

Reviewed possible upgrades to legislative committee rooms on Capitol Hill, including streaming of video presentations, full video streaming of committee meetings, and upgrading equipment from analog to digital capability.

Mobile Phone Services for the Legislative Branch

Received information on mobile phone services within the legislative branch and reviewed options for the frequency and funding of replacing mobile phones.

Action: Recommended that cell phones be replaced every two years, using an ongoing source of funding.

Organization of Information Technology Services in the Legislative Branch

Reviewed a letter from the president of the Senate and the speaker of the House to the committee asking it to review the desirability and feasibility of establishing a centralized information technology (IT) office within the legislative branch.

Reviewed the type and scope of IT-related services provided to the members and employees of the legislative branch, staffing levels, coordination efforts between offices and legislative chambers of IT services, and management and decision-making processes for IT services. The committee chairs were requested to form a working group to further study these issues.

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Voice and Video Streaming Service Contract

Reviewed the contract with the private company that provides voice and video streaming services for the Legislature.

*Co Chairs: Sen. Curtis S. Bramble / Rep. Ryan D. Wilcox
Staff: Bryant R. Howe (Assistant Director) / Eric N. Weeks (Deputy General Counsel)
Sara J. Thomas (Legislative Secretary)*

Legislative Process Committee

September 16, 2013

Legislative Procedural Issues

The Legislative Process Committee discussed recommendations to improve legislative rules and procedures.

*Chairs: Rep. Melvin R. Brown / Sen. Lyle W. Hillyard
Staff: Jerry D. Howe (Managing Policy Analyst) / John L. Fellows (General Counsel) / Eric N. Weeks (Deputy General Counsel) / Phalin L. Flowers (Administrative Assistant)*

Native American Legislative Liaison Committee

August 15, 2013

Utah Navajo Royalties

Received a report from committee staff about 2013 General Session S.B. 40, "Utah Navajo Royalties Amendments," which passed, and allows for an increase in financial aid to certain Navajo Nation students to reflect tuition increases at institutions of higher education.

Native American Remains Review Committee

Received a report from the Division of Indian Affairs concerning the Native American Remains Review Committee. The committee is responsible for responding to requests made by tribes and for the disposition of remains that are presented to the committee.

Economic Development Efforts

Received a report from Southern Utah University on an economic development study being conducted in conjunction with Utah State University for the benefit of local Indian tribes.

*Chairs: Sen. Kevin T. Van Tassel / Rep. Jack R. Draxler
Staff: Michael E. Christensen (Director) / Patricia Owen (Associate General Counsel)
Phalin L. Flowers (Administrative Assistant)*

Natural Resources, Agriculture, and Environment

Consumer Electronic Device Recycling

Received a report from the Division of Solid and Hazardous Waste, Department of Environmental Quality, on consumer electronic device collection, reuse, and recycling systems in the state.

Energy Advisor Report and Review of State Energy Policy

Received a report from the state energy advisor on the status and development of the state's energy resources and the energy advisor's activities. The advisor reviewed the state energy policy and discussed the importance of energy development and reliability.

Water Pollution — Reduction of Nutrient Pollution

Received a report from the Department of Agriculture and Food, water conservancy and conservation districts, and agriculture producers on ways that the Environmental Stewardship Certification Program could help reduce nutrient pollution in Utah waters. The department recommended legislation to enhance the program and provide funding for nutrient pollution reduction projects.

*Chairs: Rep. Michael E. Noel / Sen. Scott K. Jenkins
Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Associate General Counsel) / Anna M. Allen (Secretary)*

Occupational and Professional Licensure Review Committee

September 17, 2013

Licensure of Music Therapists

Received a presentation from the Utah Association of Music Therapists seeking licensure for the practice of music therapy.

Alternatives to Licensing

Received a report from committee staff on possible alternatives to licensing, including registration and certification.

Sunset Review — Massage Therapy Practice Act

Received information and discussed whether Title 58, Chapter 47b, Massage Therapy Practice Act, should be reauthorized.

*Chairs: Rep. Derek E. Brown / Sen. John L. Valentine
Staff: Bryant R. Howe (Assistant Director) / Peter Asplund (Associate General Counsel) / Tracey Fredman (Secretary)*

Political Subdivisions

Assessment Areas

Received from the Utah League of Cities and Towns and the Utah Association of Special Districts a summary of the results of a survey of their respective members regarding the designation of assessment areas and any protests to those designations.

Eminent Domain Study Item

Received a report from the study sponsor and the state property ombudsman, who have been working with parties interested in eminent domain issues. This month's report included recommendations regarding notification requirements for condemnors prior to filing a condemnation action.

General Fund References in Local Government Code

Action: *Approved as a committee bill, draft legislation "Local Government General Fund Amendments," which would :*

- Amend references to the term "general fund" in the Utah Code dealing with municipalities and counties to clarify that the term means a town general fund, city general fund, or county general fund, and not the state general fund;
- Define "town general fund," "city general fund," and "county general fund"; and
- Clarify related language.

Nonconsensual Common Law Liens

Discussed draft legislation "Wrongful Lien Amendments," which would:

- Impose procedures regarding submitting a nonconsensual common law document to the county recorder for recording; and
- Provide that a recorded nonconsensual common law document is void if the document sponsor does not comply with the requirements described in the draft legislation.

Chairs: Rep. R. Curt Webb / Sen. Daniel W. Thatcher

Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Associate General Counsel) / Sara J. Thomas (Secretary)

Public Utilities and Technology

Extension of Natural Gas Lines

Received an update from a legislator on suggested legislation that would provide a statutory process for extending natural gas lines across the state and how those extensions could be funded.

Action: *Voted to open a bill file for the purpose of drafting legislation that creates a natural gas line extension program and funding.*

Intermountain Power Agency Contracts

Received a report from Intermountain Power Agency about Utah statutory power contract requirements and the necessity of amending the law to exempt the agency from the current 50-year limit so that a new contract may be signed well before the existing 2027 contract termination year.

Action: *Approved as a committee bill, draft language presented to the committee regarding the Intermountain Power Agency contract.*

Interstate Transmission Lines

Received an update from TransWest regarding its interstate transmission corridor construction project across Utah, "on and off ramps" for connecting to the Utah electrical grid, Utah taxes paid, including property and sales and use taxes, and local employment.

The Utah Tax Commission and the Governor's Energy Office also addressed property taxes and under which conditions those taxes would increase. Committee members asked

questions about the long-term value to the state of a transmission line corridor that only pays property taxes while permanently occupying the land.

Chairs: Rep. Roger E. Barrus / Sen. David P. Hinkins

Staff: Richard C. North (Policy Analyst) / Rebecca L. Rockwell (Associate General Counsel) / Tracey Fredman (Secretary)

Revenue and Taxation

Timing of "Truth in Taxation" Public Hearings

Received a presentation from committee staff regarding calendar year taxing entities that hold budget hearings for a proposed budget increase in December, but do not hold a truth in taxation hearing for an increase to the property tax until August, when two-thirds of the budget has been spent.

Overview of Property Tax System

Received a presentation from committee staff on Utah's property tax system, including constitutional property tax provisions, exemptions, rates, revenues, and the "truth in taxation" system.

Utah Legal Tender Act

Received a presentation from the Utah Precious Metals Association regarding a proposal that would address issues related to specie legal tender, including legal tender escrow agents and taxation.

Chairs: Rep. Ryan D. Wilcox / Sen. Deidre M. Henderson

Staff: Bryant R. Howe (Assistant Director) / Leif G. Elder (Policy Analyst) / Rebecca L. Rockwell (Associate General Counsel) / Sara J. Thomas (Secretary)

State Water Development Commission

September 17, 2013

Change Application Procedures

Discussed draft legislation proposed by the Utah Irrigators Alliance regarding change application procedures.

Lake Powell Pipeline and Bear River Development

Discussed the economic and fiscal impacts of water development on the state and nation. Discussed population growth, water conservation, changing water supply, Colorado river water allocation, and the development of additional water resources.

Chairs: Rep. Keith Grover / Sen. Margaret Dayton

Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Associate General Counsel) / Anna M. Allen (Secretary)

Transportation

Air Quality and Transportation Planning

Discussed, with the participation of the Utah Division of Air Quality and Utah's metropolitan planning organizations, air quality standards related to transportation capacity growth, what Utah should consider when planning for new roads and adding capacity to existing roads, and transit options.

Federal Funding Outlook

Received a presentation from the Utah Department of

Transportation and the Utah Transit Authority reviewing Utah's expectations and eligibility for federal transportation funding.

Transportation Coalition Study

Received a presentation from the Salt Lake Chamber of Commerce on a study regarding anticipated economic value to the state if Utah's Unified Transportation Plan is funded and implemented.

Transportation Project Selection and Prioritization

Received a presentation from Utah's metropolitan planning organizations, the Utah Department of Transportation, and the Utah Transit Authority describing the process used to select and prioritize transportation projects.

Utah Collaborative Active Transportation Study

Received a presentation from the Utah Department of Transportation and the Utah Transit Authority regarding a study of how people connect to transit and ways to enhance pedestrian and bicycle connections to major transit lines.

Utah Foundation's Transportation Study

Received a presentation from the Utah Foundation regarding how transit, roads, and highways are funded in Utah and projections on potential funding sources to meet Utah's transportation needs.

Utah's Unified Transportation Plan

Received a presentation from Utah's metropolitan planning organizations, the Utah Department of Transportation, and the Utah Transit Authority that reviewed Utah's Unified Transportation Plan, identified transportation needs, and addressed transportation funding gaps. The plan was developed by the Utah Transportation Commission and the state's metropolitan planning organizations, in cooperation with the Utah Department of Transportation.

Chairs: Rep. Johnny Anderson / Sen. Kevin T. Van Tassell

Staff: Art L. Hunsaker (Policy Analyst) / Shannon C. Halverson (Associate General Counsel) / Tracey Fredman (Secretary)

Veterans Reintegration Task Force

August 19, 2013

Veterans' Credit Scores

Received presentations from Utah financial institutions about credit scores and credit reports, the differences between the two, the legal barriers to providing information about the differences to veterans and others, and the problems that follow from misunderstanding those differences. Credit reporting entities do not use the same information as lending institutions do when generating a loan applicant's credit score, and, consequently, applicants often pay significantly more for a loan than they expected, based upon a credit report.

Veterans' Education Service Centers

Received reports from the Davis County Applied Technology Center and Weber State University about their veterans' education service centers. Services provided include counseling about educational programs, financial assistance, and other transition services veterans need in order to be successful while in school and after graduation.

Veterans' Employment Opportunities

Received a report from the Utah Department of Workforce Services about the demographics of unemployed veterans in Utah and new strategies for connecting veterans with employment opportunities.

Action: *Recommended that draft legislation be prepared that directs the reporting of public employment opportunities to the Utah Department of Workforce Services.*

Chairs: Rep. Paul Ray / Sen. Peter C. Knudson

Staff: Richard C. North (Policy Analyst) / Esther Chelsea-McCarty (Associate General Counsel) / Tracey Fredman (Secretary)

Next Interim Day—October 16, 2013

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