Business and Labor

Accessing Studies of the Rocky Mountain Center for Occupational and Professional Health

Received a presentation from the Rocky Mountain Center for Occupational and Professional Health on how to improve the public dissemination of its research and to promote its educational mission.

Disclosure of Consumer Credit Scores

Received presentations from credit reporting agencies regarding issues surrounding disclosing a credit score to a consumer. The agencies stated that there are hundreds of credit scores reported by various organizations that are used by thousands of lenders nationwide.

The committee also received a presentation from a legislator who advocated that information regarding how credit scores are used should be disclosed to a consumer who purchases a credit score from an organization.

Mobile Home Parks

Reviewed draft legislation "Tree Maintenance in Mobile Home Parks," which includes a requirement that mobile home parks perform necessary maintenance on certain trees within the parks.

The Benefits of Online State Government Services for Utah Businesses

Received a presentation from the University of Utah Center for Public Policy and Administration regarding research showing the benefits to Utah businesses of state government services that are provided online.

Treatment of Manufactured and Mobile Homes as Real Property

Reviewed draft legislation "Manufactured and Mobile Home Amendments," which, under certain conditions, requires that permanently affixed manufactured or mobile homes be treated as real property.

Utah Fund of Funds

Received a presentation from the Utah Fund of Funds on the organization and results of the Utah Venture Capital Act.

The organization stated that the Legislature has authorized up to $300 million in contingent tax credits under the act, $121 million of which has been committed to 28 capital partnerships, including eight local funds.

Staff: Bryant R. Howe (Assistant Director) / Christine R. Gilbert (Attorney) / Patricia Owen (Attorney) / Jennifer K. Christopherson (Secretary)

Economic Development and Workforce Services

Child Care Subsidy Program

Received a presentation from the Department of Workforce Services on the Child Care Assistance Program, which provides child care assistance to low-income families to enable parents to work outside the home. A private provider expressed concerns with the competitive advantages public child care providers may have.

Department of Workforce Services

Received a presentation from the Department of Workforce Services on the department’s operations, organization, mission, duties, goals, and concerns.

Department of Workforce Services Assistance Programs

Received a briefing from committee staff and the Department of Workforce Services on a written report regarding the 19 public assistance programs the department administers and for which the department determines eligibility. The report includes a summary describing each program, including the purpose, eligibility requirements, benefit amounts and restrictions, state and federal spending, administrative contact information, and statutory citations.

(Continued next page)
General Assistance Program

Received a presentation from the Department of Workforce Services on the state-funded General Assistance Program, which provides cash assistance to adults who, because of physical or mental impairment, are unable to work and are not eligible for other cash assistance.

The maximum amount of the cash assistance is $287 per month for an individual and $398 per month for a household of two. The cash assistance is limited to 12 months of benefits in any 60-month period. The program is currently closed for new applications due to funding limitations.

Unemployment Insurance Program

Received a presentation from committee staff and the Department of Workforce Services on the Employment Security Act, which provides an employment benefit for an employee who is terminated through no fault of the employee.

The state benefit is for a maximum of 26 weeks and is funded by unemployment insurance contributions collected from employers. The amount of the contribution is calculated by a formula based on the wages of each employee and is deposited into the Unemployment Insurance Trust Fund. The average contribution rate for 2011 was 0.85% of total wages.

Economic Development Task Force

Envision Utah

Received a presentation from Envision Utah on growth in Utah. Envision Utah was formed in 1988 as a public-private partnership of business leaders, civic leaders, and policy makers with the goal of engaging people to create and sustain communities that are prosperous and healthy.

The Long-term View — Processes for Policy Makers

Received presentations from the Office of Legislative Research and General Counsel and the Legislative Fiscal Analyst on providing complete and accurate information to policy makers to allow them to set sound public policy and help ensure long-term economic vitality. This information assists legislators as they look beyond immediate issues and focus on future issues. Past successes were highlighted and ideas for more long-term planning were presented.

Education

Front-line Teachers

Discussed draft legislation “Front-line Teacher Data Program,” which would establish reporting requirements for school districts, charter schools, and the Utah State Board of Education on the allocation of resources for front-line teachers. The draft legislation defines front-line teachers as licensed teachers who have an assignment to teach kindergarten, elementary, secondary, or special education courses, and does not include prekindergarten teachers, school-based specialists, or classroom aides.

School Grading

Received a presentation from a legislator on the history of grading schools in Utah, different approaches to calculating student growth, and the implementation of changes to the School Grading Act that were made during the 2013 General Session.

Utah Data Alliance

Received a presentation from member agencies of the Utah Data Alliance. Discussed the types of data available in the statewide longitudinal data system and the potential of that data to answer specific research questions or better inform public users through the dissemination of aggregated data.

Education Task Force

Overview of Education Data

Received presentations from committee staff on demographics, achievement, outcomes, funding, and fiscal data for students in Utah’s public K-12 and higher education systems.

Perspectives on Student Achievement

Received input from the State Board of Education and the State Charter School Board on their definitions of the basic elements of student achievement.

Postsecondary Education Attainment Goal

Received a presentation from Prosperity 2020, a business-led organization that is leading an initiative to promote the goal of 66% of the state’s adult population having some postsecondary training, certification, or degree by 2020.

The task force also received input from education leaders in public and higher education who are working to implement an increase in postsecondary education attainment.
Utah Data Alliance

Received a presentation from member agencies of the Utah Data Alliance regarding merging data sets and creating an integrated statewide longitudinal data system. The Utah Data Alliance is a collaborative effort between the Utah State Office of Education, Utah System of Higher Education, Utah College of Applied Technology, Department of Workforce Services, Utah Education Network, and Utah Education Policy Center at the University of Utah.

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

Federal Funds Commission

June 18, 2013

Committee Business

Action: In accordance with statute, the committee appointed the following four members to the commission: Susan Speirs, Dan Griffiths, Roger Jones, and Rick Davis.

Federal Budget

Received a presentation from commission staff on the federal budget, including a discussion of federal revenues, federal entitlement spending, federal discretionary spending, and impacts of federal spending on Utah.

Risk Management

Received a presentation from an industry expert on enterprise risk management, including a discussion of how to identify an organization’s risks and ways to prepare for those risks.

Staff: Phillip V. Dean (Policy Analyst) / Shannon C. Halverson (Attorney) / Sara J. Thomas (Secretary)

Government Communications Task Force

June 05, 2013

Existing Radio Communication Systems

Received information from the Utah Communication Agency Network, Unified Fire Authority, Valley Emergency Communications Center, Salt Lake County Sheriff’s Office, Unified Police Department, and Salt Lake City Police Department. Each of these entities explained the current radio communication network, including current capacity and technologies.

Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Tracey Fredman (Secretary)

Government Operations

Election Code Amendments

Received a presentation from the Office of the Lieutenant Governor regarding proposed substantive and technical changes to state election laws.

Election Notices

Received a presentation from a representative of the county clerks on posting election notices electronically.

Election of County Officers

Discussed impacts of 2011 General Session H.B. 103, “Election Amendments,” which requires that a county stagger the terms of county officers beginning in the 2014 General Election. The bill does not address how to stagger the terms of certain existing consolidated offices, such as a clerk/treasurer, auditor/recorder, or executive/surveyor. County clerks explained that the bill would double the cost of printing election ballots because ballots would be two pages rather than one.

Action: Voted to direct committee chairs and staff to meet with county officials to resolve concerns with implementing 2011 General Session H.B. 103, “Election Amendments.”

Preliminary Election Results

Received a presentation from the Office of the Lieutenant Governor on providing for the release of preliminary election results during the period of time between the close of election polls and the canvass. The office explained that preliminary results would be especially useful when there is a large number of absentee and provisional ballots and when an election race is close.

Recall Elections

Discussed whether the Utah Constitution should be amended to provide for recall elections.

State Board of Education Elections

Discussed issues relating to electing members of the State Board of Education, including repealing provisions regarding the involvement of the governor and the nominating and recruiting committee.

Statewide Ombudsman

Discuss whether Utah should create a statewide ombudsman and an Office of the Inspector General, as some states have done.

Staff: Leif G. Elder (Policy Analyst) / Thomas R. Vaughn (Attorney) / Anna M. Allen (Secretary)
Health and Human Services

Adoption Records Access

Considered 2014 draft legislation "Adoption Records Access Amendments," which provides that for adoptions finalized on or after January 1, 2015, related documents shall be accessible upon request by any party to the adoption, if the party is an adult at the time of the request. The legislation also allows a birth mother to refuse to allow identifying information about herself to be accessible.

Putative Father Registries

Received a report from the Office of Vital Statistics and public comment on the state's putative father registry and the feasibility of creating a national registry. The office said that converting the state registry from a paper system to an electronic system would allow fathers and attorneys to access the registry from any location and would reduce error.

State and Federal Health Reform

Received a report from committee staff on the federal government’s recently published proposed rules, which authorize the state to operate only one of the two health insurance exchanges required by the Patient Protection and Affordable Care Act, as the state had requested.

Health System Reform Task Force

June 20, 2013

Responding to the Federal Patient Protection and Affordable Care Act

Received a report from Public Consulting Group on its recently completed analysis of five options for expanding Medicaid eligibility in response to the Federal Patient Protection and Affordable Care Act (PPACA). Public Consulting Group reported that implementing the mandatory expansion and an expansion to all persons with household incomes not exceeding 138% of the federal poverty level would increase state program costs by over $80 million annually by 2023.

Received a report from HIPUtah, the state's high risk health insurance program. HIPUtah reported that operation of Federal HIPUtah, another high risk program, will be transferred from the state to the federal government July 1, 2013. HIPUtah also reported that, prior to the recent enactment of limits on federal HIPUtah enrollment, it was expected that the transition of enrollees from both high risk programs to the commercial insurance market in 2014 would increase losses in the commercial market by $80 million.

Received a report from the task force's Risk Adjustment and Reinsurance Team that insurance carriers and the Utah Insurance Department would like to evaluate whether it is preferable for the state to develop and operate its own risk adjustment program under the PPACA. The Insurance Department is planning to issue a bid for services to assist in the evaluation.

Received a report from the Department of Human Resource Management saying that in order to avoid triggering large penalties under the PPACA, the state needs to ensure that 194 of its nearly 5,000 part-time employees either have health insurance or work fewer than 30 hours per week. The department also reported that it expects that the federal government will not treat higher education and quasigovernmental entities as part of the executive branch for purposes of determining penalties for which the state might be liable under the PPACA.

Received a report from committee staff on the federal government’s recently published proposed rules, which authorize the state to operate only one of the two health insurance exchanges required by the PPACA, as the state had requested.

Action: Directed staff to draft a letter responding to the request of the US Department of Health and Human Services for comment on whether states should be permitted to operate risk adjustment programs for both the group and nongroup insurance markets, even if a state operates a health insurance exchange only in the group market. Utah is planning to operate only the group market exchange, but has requested permission to operate risk adjustment for both markets.

Action: Encouraged the Utah Department of Health to apply for a federal grant (a Cycle 2 Rate Review grant from HHS) to be used for development of the state's all-payer health insurance claims database. The database could be used to promote insurance price transparency and eventually facilitate the development of a state-based risk adjustment program.

Action: Encouraged the Insurance Department to apply for an HHS Section 1311 exchange establishment grant to be used for a state-based risk adjustment program.

Action: Expressed support for the Insurance Department issuing a bid for assistance with the development of a state-based risk adjustment program.

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

Administrative Subpoenas

Received presentations from interested parties, including the Internet Crimes Against Children Task Force within the Utah Office of the Attorney General, Weber County Attorney’s Office, local law enforcement agencies, the American Civil Liberties Union of Utah, the Utah Association of Defense Lawyers, and an internet service provider, on the use of administrative subpoenas to obtain electronic records in criminal investigations of specified crimes, including sexual offenses against minors.

The committee discussed possible changes to the reporting requirement for administrative subpoenas issued by law enforcement and prosecutorial agencies under Utah Code Subsections 77-22-2.5 (9) and (10).

Staff: Chelsea B. Lloyd (Policy Analyst) / Esther Chelsea-McCarty (Attorney) / Jennifer K. Christopherson (Secretary)

Law Enforcement and Criminal Justice

Domestic Violence Report

Received a presentation from committee staff regarding the intent and purpose of the domestic violence report that was provided by the Department of Public Safety at the May 15, 2013, interim meeting. Staff reported that the original purpose for requiring the report was to gather data for nongovernmental entities that study domestic violence issues. The committee received comments from organizations that intend to study the data that the state has collected.

Drug Testing at Pedestrian Accident Scenes

Received a presentation by a concerned citizen regarding the need for enhanced investigations at automobile-pedestrian accidents when emergency medical services are utilized.

Recognition of Commissioner Davenport

Recognized Commissioner Lance Davenport for his 29 years of state service. He has served as the commissioner of the Department of Public Safety since January 2009.

Utah Department of Corrections Overview

Received an overview from the Utah Department of Corrections regarding inmate population increases and offender programming. As of June 2013, the state had 7,050 inmates and currently has a capacity to house 7,030 inmates. The department addresses inmate overcrowding by housing state inmates in county jails for which the counties are reimbursed at a contracted rate.

Additionally, the department is studying alternatives to address the current trend of an increasing inmate population.

Staff: Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Attorney) / Lori R. Rammell (Secretarial Supervisor)
Legislative Process Committee  
June 17, 2013

The Legislative Process Committee considered recommendations from legislators on ways to improve rules of the Utah Legislature.

Staff: Jerry D. Howe (Managing Policy Analyst) / Eric N. Weeks (Deputy General Counsel) / John L. Fellows (General Counsel) / Phalin L. Flowers (Administrative Assistant)

Natural Resources, Agriculture, and Environment

Department of Environmental Quality — Emerging Issues

Received a report from the Department of Environmental Quality on emerging issues, including federal funding cuts that affect the Division of Drinking Water and Division of Air Quality PM 2.5 state implementation plans.

Public Lands Policy Coordinating Office Activities

Received a report from the Public Lands Policy Coordinating Office on the activities and expenditures of the office, including expenditures for sage grouse protection and the preparation of a public lands transfer study and economic analysis. The office also presented the R.S. 2477 plan adopted by the Constitutional Defense Council established for the purpose of asserting, defending, and litigating state and local government rights and claims regarding roads under R.S. 2477.

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

Occupational and Professional Licensure Review Committee  
June 18, 2013

Overview of Committee Functions and Duties

The committee received a briefing from committee staff on its duties and responsibilities. The committee conducts sunset reviews under the Legislative Oversight and Sunset Review Act and reviews the licensing and regulation of existing occupations and professions as directed by the Legislature or the Legislative Management Committee. The committee also conducts “sunrise” reviews of occupations and professions proposed to be licensed for the first time.

Staff: Bryant R. Howe (Assistant Director) / Peter Asplund (Attorney) / Tracey Fredman (Secretary)

Political Subdivisions

Assessment Areas

Discussed the legislative history and current status of assessment areas with a focus on:

- The intended use of an assessment area;
- The process of creating an assessment area;
- The difference between a tax and an assessment; and
- Whether statutory changes are necessary to ensure that an assessment area is only designated for the intended purposes.

The committee also discussed the requirements for an effective protest to the creation of an assessment area, including discussing whether the protest requirements should be amended.

Eminent Domain

**Action:** Voted to direct the committee chairs to send a letter to parties interested in eminent domain issues, notifying those interested parties that the committee will discuss the following issues at future meetings:

- Licensing agents (July 17 meeting);
- Negotiation procedures (September 18 meeting);
- Physical occupation of property without negotiation or court order (October 16 meeting); and
- Defining condemning entity (October 16 meeting).

References to General Fund in Utah Code

**Action:** Voted to direct staff to prepare legislation that would clarify provisions that refer to local government general funds in Title 10, Chapter 5, Uniform Fiscal Procedures Act for Utah Towns; Title 10, Chapter 6, Uniform Fiscal Procedures Act for Utah Cities; and Title 17, Chapter 36, Uniform Fiscal Procedures Act for Counties.

Staff: Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Samantha Coombs (Secretary)

Public Utilities and Technology

Automated Geographic Reference Center Services

Received a report from the Automated Geographic Reference Center about the geographic information system mapping services it provides to both public and private entities. Those services and products include geographic information system map data layers, such as water, transportation, and agriculture; mapping; redistricting; and surveying.

Department of Technology Services Overview

Received an overview from the Department of Technology Services (DTS) about the information technology services it provides, including costs, hardware, software, telecommunications, and networks. The department has generated cost savings in excess of $73 million since its creation in 2005.

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State Security Standards For Personal Information

Received a report from DTS about the public-private process for developing and implementing personal information security standards as required in 2013 General Session S.B. 20, “State Security Standards For Personal Information.” The process, approved by the Office of the Governor, includes monthly meetings between state and local government agency directors, the state chief information officer, and private sector chief information officers.

Utah Technology Networks

Received a report from DTS about the network services it provides statewide. The report included information about both secure government networks and network services provided to the public. Partners for the delivery of these services include private sector broadband providers, state agencies, and local public and private entities.

Received a report from the Utah Education Network about network services it provides to all libraries, public schools, and institutions of higher learning.

Received reports from both DTS and the Utah Education Network emphasizing the growing demand for secure, filtered, and high-speed broadband connectivity.

Received a report from the Utah Broadband Project about planning, development, and coordination of existing network services and demand for new services. The project’s funding will end in December 2014.

Senate Judicial Confirmation Committee

June 11, 2013

The committee met on June 11, 2013, and recommended to the full body of the Senate the confirmation of Renee M. Jimenez-Justice as a juvenile court judge in the Third District Juvenile Court.

The Senate met on June 19, 2013, and confirmed Ms. Jimenez-Justice.

Chair: Sen. Scott K. Jenkins
Staff: Michael E. Christensen (Director) / Susan Creager Allred (Associate General Counsel) / Jennifer Christopherson (Legislative Secretary)

State Water Development Commission

June 18, 2013

Lake Powell Pipeline and Bear River Development

Received updates from the Division of Water Resources, the Washington County Water Conservancy District, and the Weber Basin Water Conservancy District on the proposed Lake Powell pipeline project and the Bear River water development project.

Snake Valley Water Sharing Agreement

Received a report from the Office of the Governor regarding the governor’s decision to not approve the proposed Snake Valley water sharing agreement.

State and Federal Water Rights

Received reports from the Utah Farm Bureau Federation, the National Ski Areas Association, and Snowbasin Resort on state and federal government conflicts over water rights on agricultural and ski resort areas of the state.

Staff: J. Brian Allred (Policy Analyst) / Ruth Anne Frost (Attorney) / Anna M. Allen (Secretary)
Transportation

Condition of Utah’s Roads

Received a presentation from representatives of cities and counties regarding the current condition of roads in their jurisdictions and the need for additional funding sources to improve road conditions.

The Department of Transportation addressed state road conditions, the cost-efficient road maintenance strategies it currently implements, and the funding needed to continue current road maintenance levels.

Utah Transit Authority — Operations and Funding

Received a presentation from the Utah Transit Authority addressing its responsibilities, operations, and funding levels.

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

Veterans Reintegration Task Force

May 29, 2013

End of Life Decisions for Veterans

Received a presentation from the United States Department of Veterans Affairs (VA) about end of life decisions faced by veterans, service-related conditions that contributed to a veteran’s quality of life, and VA programs for supporting veterans and their families.

Military Affairs

Received a presentation about the creation of a military affairs coordinator in the Office of the Governor and how that coordinator will work with the Utah Department of Veterans’ and Military Affairs to serve veterans and their families.

The coordinator, in conjunction with the department, will also support annual summits on employment and benefits for veterans and their families.

Suicide Prevention for Veterans

Received a presentation from the VA about suicide among veterans and family members and VA programs for prevention and treatment. Surveillance is one of the critical first factors for families and professionals in order to determine if someone is suicidal. Surveillance is followed by monitoring risk factors and implementing treatment programs. A concern for treatment professionals is that the major suicide prevention program in the Intermountain West is located along the Wasatch Front while the individuals most at risk are located in rural parts of Utah, Idaho, Wyoming, Colorado, Arizona, and Nevada.

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

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