



# INTERIM HIGHLIGHTS

Office of Legislative Research and General Counsel  
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## LEGISLATIVE INTERIM MEETINGS

Meetings were held July 15, 2015, or as noted.

### IN THIS ISSUE:

(Click on the committee you would like to view)

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***Law Enforcement and Criminal Justice***

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***State Water Development Commission***

***Transportation***

***Utah Tax Review Commission***

***Veterans' and Military Affairs Commission***

### Administrative Rules Review Committee

July 07, 2015

#### Implementation of Fishing License Rules

Received an explanation from the Division of Wildlife Resources regarding why administrative rules have not been written to implement the [statute](#) that addresses forms required to apply for a temporary fishing license. The division also provided a time frame for when the necessary administrative rules would be put in place.

#### Peace Officer Use of Force

Discussed with representatives of the Utah Highway Patrol, Utah Sheriff's Association, Utah Chiefs of Police Association, American Civil Liberties Union of Utah, and Libertas Institute the use of body-worn cameras by Utah peace officers, including whether individual law enforcement agency policies on body cameras should be uniform statewide, how long body camera records should be retained, and who should be allowed to view the records.

The committee also discussed what issues regarding peace officer use of force the committee should consider referring to the Law Enforcement and Criminal Justice Interim Committee.

#### Design, Construction, and Operation of Public Pools

Discussed with the Utah National Parks Council, a Boy Scout Council, and the Department of Health, ways that the Utah National Parks Council's use of above ground pools may be approved, under department statute and administrative rule, for use by the council's youth programs.

**Action:** The committee requested the Department of Health to reexamine and, where needed, rewrite its administrative rules to provide a process for above ground pool applications and submit the proposed rules for review and potential approval.

Chairs: Rep. Curtis Oda / Sen. Howard A. Stephenson  
Staff: Art L. Hunsaker (Policy Analyst) / Christine R. Gilbert (Attorney) / Tracey Fredman (Legislative Assistant)

## Business and Labor

### Sunset Review — Foreclosure Processes on Residential Rental Properties

Received a [presentation](#) and [handout](#) from committee staff explaining the history of legislation addressing residential rental foreclosures from 2009 to the present. Absent further action by the Legislature and pursuant to [Utah Code Section 63I-1-257](#), on December 31, 2016, [Subsections 57-1-25\(1\)\(c\), \(3\)\(b\), and \(4\)](#) will be repealed. The committee discussed the need for legislation regarding the sunset.

### Insurance Code Exemption

Received presentations regarding 2015 General Session [H.B. 431](#), "Health Sharing Ministries Amendments."

### Statutorily Required Reports

Received a [presentation](#) and [handout](#) from committee staff outlining statutory provisions that require a report to the Business and Labor Interim Committee. The committee considered whether the various report provisions should be continued, modified, or repealed.

**Action:** Requested legislation be drafted making changes to current statutory report requirements.

*Chairs: Rep. Val L. Peterson / Sen. Curtis S. Bramble  
Staff: Joseph T. Wade (Policy Analyst) / Patricia Owen (Attorney) / Samuel C. Johnston (Attorney) / Lucy W. Daynes (Legislative Assistant)*

## Charter School Funding Task Force

June 24, 2015

### History of Charter School Funding

Received a [presentation](#) from legislative staff about the history of charter school funding. Also received a [presentation](#) from the State Office of Education about the current method of funding charter schools.

July 14, 2015

### Determining Enrollment in Charter Schools and School Districts

Discussed the methodology for determining enrollment in charter schools and in school districts and the challenges created by having two different methodologies for determining enrollment.

### State School Spending

Received a [report](#) from the Utah Taxpayers Association about spending across school districts.

*Chairs: Rep. Steve Eliason / Sen. Howard A. Stephenson  
Staff: Allyson R. Goldstein (Policy Analyst) / Ben Leishman (Fiscal Analyst) / Tiffany A. Stanley (Policy Analyst) / Victoria Ashby (Attorney) / Debra Hale (Legislative Assistant)*

## Child Welfare Legislative Oversight Panel

June 30, 2015

### 2015 Child Welfare Legislation

Received a [presentation](#) from panel staff regarding the outcomes of child welfare legislation introduced during the

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2015 General Session. The committee focused on legislation related to emergency placement of children, the number of foster children permitted to reside in foster homes, and other amendments to the state's child welfare system.

### 2015 Interim Study Items

Identified potential issues and objectives for the panel to consider during the 2015 Interim. The panel received input from the Division of Child and Family Services, the Parental Defense Alliance of Utah, and the Office of the Guardian ad Litem. Topics of discussion included:

- Foster youth transitioning to adulthood and extending foster care beyond age 18;
- Homeless and runaway youth;
- Use of psychotropic medications among foster youth;
- Update on the HomeWorks program;
- Driver licenses for foster youth; and
- The balance of child and parent rights.

### Overview of the Panel

Received a [presentation](#) from committee staff on the history, purpose, and development of the Child Welfare Legislative Oversight Panel. The panel discussed the *David C. v. Leavitt* litigation, as well as a history of topics that the panel has addressed since its inception.

*Chairs: Rep. Earl D. Tanner / Sen. Allen M. Christensen  
Staff: Gregg A. Girvan (Policy Analyst) / Lee A. Killian (Attorney) / Lori Rammell (Legislative Assistant)*



## Commission for the Stewardship of Public Lands

July 16, 2015

### Carbon Sequestration

Received a briefing on mitigating climate change through carbon sequestration, which is a process that removes atmospheric carbon and sequesters it in the soil through specific land management policies. The commission watched a [Technology, Entertainment, and Design \(TED\) talk](#) from Allan Savory on global desertification and what policymakers can do to address climate change.

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### Recapture Canyon ATV Ride

Received an update on the status of the San Juan county commissioner's legal dispute regarding the location of an ATV ride and also dual sovereignty as they relate to public lands. The commission also discussed the possibility of the state pursuing RS 2477 litigation in regard to the road in question.

### Recent National Monument Designations

Received a [briefing](#) from the governor's office on the designation of national monuments, including recent designations in California, Texas, and Nevada. The commission and a member of the governor's cabinet discussed the possibility of future designations within the state and potential avenues for recourse.

### Utah Public Land Policy Management Act

Discussed potential legislation on the management of Utah's public lands. Several members suggested creating working groups to look at issues to be addressed in the event of a public lands transfer, including potential grazing, mineral rights, and recreation uses.

### Waters of the United States

**Action:** Voted to place this agenda item on the commission's next agenda.

*Chairs: Rep. Keven J. Stratton / Sen. David P. Hinkins  
Staff: Tiffany A. Stanley (Policy Analyst) / Cathy J. Dupont (Attorney) / RuthAnne Frost (Attorney) / Timothy J. Barber (Legislative Assistant)*

## Economic Development and Workforce Services

### Economic Development Incentives and Programs

Received a [presentation](#) from committee staff and the Governor's Office of Economic Development regarding incentives for businesses to expand or locate in the state for film and television series productions. Committee staff distributed a report describing key economic development incentives and programs as updated for 2015, which includes a description of the incentives, how they are administered, and what costs and impacts are involved.

### Industrial Assistance Fund

Received a presentation from the Governor's Office of Economic Development on the Industrial Assistance Fund (IAF). The IAF is a restricted account in the General Fund created to provide grants to help encourage job growth in Utah as allocated by the Legislature and as administered by the Governor's Office of Economic Development. For most IAF programs, incentives are paid on a post performance basis, after jobs are created, in yearly increments. The programs are intended to develop industry, promote economic growth, and provide adequate employment.

### Utah Science, Technology, and Research Initiative

Received an update from the Utah Science, Technology, and Research Initiative (USTAR) on recent changes in the

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processes, programs, and organizational structure of USTAR. The changes were made to fulfill the requirements identified in two audits and in the 2014 General Session [S.B. 62](#), "Utah Science, Technology, and Research Authority Amendments." In addition, an independent third party review has resulted in recommendations for additional changes to the program.

**Action:** The committee voted to open a bill file to implement the recommendations presented by USTAR.

### Workforce Recruitment and Training

Received presentations from the Governor's Office of Economic Development and the Utah College of Applied Technology on attracting, training, and retaining a talented workforce to sustain business growth and economic stability in the state.

The Custom Fit Training Program administered by the Utah College of Applied Technology is designed to attract new businesses and aid in the retention and expansion of existing businesses by providing custom training to employees based on employers' needs.

The committee discussed ways to assist in recruitment of out-of-state talent, how recruitment might be funded, and potential ways to make improvements.

*Chairs: Rep. Rebecca P. Edwards / Sen. Aaron Osmond  
Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Attorney) / Debra Hale (Legislative Assistant)*

## Education

### Early Learning and Math Proficiency

Received a [briefing](#) from committee staff on the programs the Legislature has put in place to address early grade reading and math proficiency, including Upstart, the School Readiness Initiative, Early Intervention Program, Kindergarten through Grade 3 Reading Improvement Program, and the Science Technology Engineering and Math Instructional Technology Program. Also received briefings on best practices and policy considerations from the Utah Foundation, Education Direction, and school districts that have had success improving early grade reading and math proficiency.

*Chairs: Rep. Bradley G. Last / Sen. Ann Millner  
Staff: Allyson R. Goldstein (Policy Analyst) / Tiffany A. Stanley (Policy Analyst) / Victoria Ashby (Attorney) / Tracy J. Nuttall (Attorney) / Rebekah Bradway (Attorney) / Debra Hale (Legislative Assistant)*

## Federal Funds Commission

June 25, 2015

### Economic Risk Model

**Action:** Voted to:

1. Direct the chairs or the chairs' designee to move forward with the contract negotiations with Freeman Global Holdings, L.L.C., to provide the economic risk analysis; and
2. Award the contract for the economic risk analysis to Freeman Global Holdings, L.L.C., dependent upon successful contract negotiations.

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## Federal Funds Risk Model Update

Received a [presentation](#) from a vendor regarding the federal funds risk model that the commission contracted with the vendor to design. The capabilities of the risk model were demonstrated by modeling various risk scenarios, including:

- Federal interest rate increase;
- Federal government fiscal cliff and sequestration; and
- Reduction in Medicaid spending.

*Chairs: Sen. Alvin B. Jackson / Rep. Ken Ivory  
Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Timothy J. Barber (Legislative Assistant)*



## Government Operations

### Federal Funds Commission

Received a statutorily required [report](#) from the Federal Funds Commission, including a report on a [federal funds risk model](#) developed by the commission. The risk model projects the impact on the state from a decrease in federal funds and illustrates how state efforts could mitigate that impact.

### School Board Legislation

Considered draft legislation "[State Education Governance Revisions](#)," which would change the state school board membership from 15 to 13 members and would change the method by which state school board members are selected so that four are elected in a partisan election, four are elected in a nonpartisan election, and five are appointed by the governor with the consent of the Senate.

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Also considered draft legislation "[Proposal to Amend Utah Constitution – State Board of Education Changes](#)," which proposes an amendment to the Utah Constitution to change the membership of the state school board and modify the method by which state school board members are selected.

### State School Board Selection

Received a [presentation](#) from committee staff regarding the selection methods different states use to select state school board members. Results showed that 36 states select state school board members by election, 7 states select by appointment, 4 states use a combination of election and appointment, and 3 states do not have a state school board.

*Chairs: Rep. Jack R. Draxler / Sen. Margaret Dayton  
Staff: Brian J. Bean (Policy Analyst) / Thomas R. Vaughn (Attorney) / Katie LeFevre (Legislative Assistant)*

## Health and Human Services

### Medical Marijuana

Discussed legalizing marijuana use. Received a [presentation](#) from a national drug policy expert on issues related to the legalization of marijuana use. Received a report from Primary Children's Hospital and University of Utah Health Care on the clinical research currently under way in Utah on Epidiolex, a cannabis extract for the treatment of pediatric epilepsy. Received a briefing by committee staff on [federal laws](#) related to state legalization of marijuana or marijuana products for medical use. Received [comments](#) from members of the public.

*Chairs: Rep. Kay L. McIlff / Sen. Evan J. Vickers  
Staff: Gregg A. Girvan (Policy Analyst) / Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Attorney) / Lee A. Killian (Attorney) / Lori Rammell (Legislative Assistant)*

## Health Reform Task Force

July 16, 2015

### Federal Rulemaking for Medicaid and Utah's Children's Health Insurance Program

Received a briefing by the Utah Department of Health on policy changes included in [recently proposed federal rules](#) affecting Medicaid and Children's Health Insurance Program managed care organizations.

**Action:** *The task force voted to submit comments on the proposed rule to the U.S. Department of Health and Human Services. The comments will reflect concerns presented to the task force by the Utah Department of Health.*

### Health Insurance Coverage for Court-Ordered Mental Health and Substance Abuse Services

Received reports from health insurance carriers stating that they cover mental health and substance abuse services based on medical necessity, regardless of whether the services are court-ordered.

### Health Insurance Rates

Received an update from the Utah Insurance Department on factors affecting [2016 health insurance premiums](#).

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### ***King v. Burwell***

Received a report from task force staff on the U.S. Supreme Court's June 25, 2015, decision in [\*King v. Burwell\*](#), a case which challenged the availability of subsidies in federal health insurance exchanges. Staff reported that the decision cannot be reversed by a change in presidential administrations.

### **Medicaid Expansion**

Received reports from legislators and the Utah Department of Health that Medicaid expansion negotiations conducted in response to 2015 General Session [H.C.R. 12](#), "Concurrent Resolution on Healthcare," have been productive. In [H.C.R. 12](#), the Legislature and the governor expressed their commitment to continue working with each other and the federal government to find a way to address the lack of adequate access to health care for those falling within the coverage gap created by the federal Affordable Care Act.

*Chairs: Rep. James A. Dunnigan / Sen. Allen M. Christensen  
Staff: Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Attorney) / Lori Rammell (Legislative Assistant)*

## **Judiciary**

### **Civil Rights**

Discussed issues related to civil actions by law enforcement, civil asset forfeiture, and judicial discretion in sentencing. The committee received presentations from sponsors of legislation from the 2015 General Session, including:

- [S.B. 290](#), "Civil Actions Involving Law Enforcement Officers or Emergency Vehicle Operators";
- [H.B. 167 2nd Sub.](#), "Asset Forfeiture Revisions"; and
- [H.B. 240](#), "Judicial Discretion in Sentencing Amendments."

Discussed [draft legislation "Civil Asset Forfeiture - Procedural Reforms."](#)

### **Family Law**

Discussed several issues related to parental and child rights in the context of [Utah Code Section 62A-4a-201](#). Received a presentation on the progress of Utah's child welfare system since the completion of two audits by the Legislative Auditor General in [2011](#) and [2013](#). The discussion included topics such as the Division of Child and Family Service's development of the HomeWorks program, which provides in-home services to enhance families' parenting skills and reduce the need for foster care. The committee also discussed the balance of federal and state dollars to fund the Division of Child and Family Service's activities.

*Chairs: Rep. LaVar Christensen / Sen. Mark B. Madsen  
Staff: Gregg A. Girvan (Policy Analyst) / Esther Chelsea-McCarty (Attorney) / Lucy W. Daynes (Legislative Assistant)*

## **Law Enforcement and Criminal Justice**

### **Disaster Recovery for Local Governments**

**Action:** Adopted as a committee bill, draft legislation ["Disaster Recovery for Local Governments,"](#) which would establish a loan program to local government entities for the purpose of providing emergency disaster services.

### **Elimination of Specified Annual Reports**

**Action:** Adopted as a committee bill, draft legislation ["Law Enforcement and Criminal Justice – Statutory Reports Repeal,"](#) which would repeal the following four annual reports:

- [Law enforcement operations account;](#)
- [Law enforcement services account;](#)
- [Drug Offender Reform Act;](#) and
- [State inmates in county jails.](#)

### **Emergency Services Loan Account Amendments**

**Action:** Adopted as a committee bill, [draft legislation "Emergency Services Account Loan Amendments,"](#) which would authorize the Division of Emergency Management to provide short-term loans to state agencies for the purpose of providing emergency services to a member state of the Emergency Management Assistance Compact.

### **Law Enforcement Use of Force—Training**

Received reports from Peace Officers Standards and Training, [Utah Highway Patrol](#), and local law enforcement agencies regarding training provided to law enforcement officers to address the use of force. Discussed the de-escalation of incidents, conflict resolution, crisis intervention, and other training that officers receive before becoming certified law enforcement officers. After receiving certification, officers are required to complete an additional 40 hours of training each year. This training varies by law enforcement agency, based on the needs of the officers and the community.

*Chairs: Rep. Don L. Ipson / Sen. Todd Weiler  
Staff: Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Attorney) / Lori Rammell (Legislative Assistant)*

## **Natural Resources, Agriculture, and Environment**

July 10, 2015

### **Agricultural Irrigation**

Visited agricultural sites in Cache Valley to observe drip irrigation, flood irrigation, and central pivot irrigation systems.

July 11, 2015

### **Water Issues**

Visited the Utah Water Research Laboratory in Logan, Utah, and discussed water resource issues with Utah State University faculty.

July 15, 2015



### Bear Lake Beach and Shore Access

Visited sites along Bear Lake to observe public access corridors. The committee discussed public access to state sovereign lands on the lake and the rights and needs of individuals who are land owners whose property is adjacent to the lake, those whose property is not adjacent to the lake, and those who are not land owners.

### Bear Lake Development

Visited sites on the south end of Bear Lake that are designated for recreational development.

### Bear Lake State Park Marina

Visited the Bear Lake State Park Marina and discussed park operations, marina expansion, and Bear Lake water resources issues.

### Garden City Community Fishery

Visited the newly established Garden City Community Fishery and received a report from the Division of Wildlife Resources on the creation of community fisheries throughout the state.

### Phragmites

Visited Bear Lake sites and discussed efforts by the Department of Natural Resources to eradicate phragmites, a large perennial grass, in Bear Lake.

### Quagga Mussels

Visited a quagga mussel decontamination station operated by the Department of Natural Resources to remove the invasive mussels from aquatic craft.

### Sage Grouse Habitat Improvement and Population Increase

Visited a sage grouse habitat area east of Bear Lake and discussed efforts by the Department of Natural Resources to increase sage grouse population and avoid the listing of sage grouse under the Endangered Species Act.

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### Air Quality

Received a [report](#) from the Division of Air Quality on air quality issues, including :

- Solid fuel burning regulation;
- Ground level ozone standards;
- Regional haze;
- Uintah Basin air quality;
- Particulate matter;
- Tier 3 fuels; and
- Environmental Protection Agency 111(d) carbon pollution standards.

Also received a [report](#) from Envision Utah regarding public opinion on air quality in Utah.

### Energy Policy Review

Received a [report](#) from the state energy advisor and the Governor's Office of Energy Development 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 the impact of energy development on the state economy.

### Energy Producer States' Agreement

Received a [report](#) on Utah's involvement in the Energy Producer States' Coalition and the efforts of the coalition to establish an energy production agreement.

*Chairs: Rep. Lee B. Perry / Sen. Scott K. Jenkins  
Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Attorney) / Katie LeFevre (Legislative Assistant)*

## Political Subdivisions

### Annual Report from Utah's Seven Associations of Governments

Received a [presentation](#) from Utah's Associations of Governments. There are seven regional associations that provide coordinated planning and service delivery. The associations provide services that address:

- Aging;
- Community development and planning;
- Economic development and job creation;
- Housing;
- Human services; and
- Transportation planning.

### Assessment Area Bonding

Received an update from a legislator regarding a proposed legislative solution to assessment area foreclosure issues.

### Land Information Records

Received a joint [presentation](#) from the Utah Association of Counties, Wasatch Front Regional Council, and Utah Automated Geographic Reference Center regarding the use of parcel-level data for local, regional, and state planning

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purposes. In an effort to increase the value of this data for different users, stakeholders are discussing ways to improve statewide data compilation.

### Quality Growth Commission Annual Report

Received a statutorily required [report](#) from the Quality Growth Commission, as required by [Utah Code Section 11-38-202](#). The committee was informed of the commission's primary responsibilities of:

- Advising the Legislature and governor on growth management issues and recommended changes to the Quality Growth Act;
- Assisting local governments with planning for quality growth; and
- Conserving critical lands by administering the LeRay McAllister Program.

Challenges facing the commission include identifying a stable funding source to continue its conservation funding efforts and to provide assistance to local government planning efforts.

### Subdivision Base Parcels

Received an update from a legislator based on stakeholder meetings regarding subdivision base parcel taxes. A bill is anticipated that would allow an individual lot owner to pay a proportionate amount of delinquent taxes owed on the lot's underlying base parcel.

*Chairs: Rep. R. Curt Webb / Sen. Daniel W. Thatcher  
Staff: Megan L. Bolin (Policy Analyst) / Christine R. Gilbert (Attorney) / Timothy J. Barber (Legislative Assistant)*

## Prison Relocation Commission

July 16, 2015

### Operational Cost Comparison

Received a [report](#) from the Office of the Legislative Fiscal Analyst regarding differences in the cost of operating a correctional facility on each of the four sites under the commission's consideration as the location for a relocated state correctional facility.

### Process for Final Site Recommendation

**Action:** The commission extended the August 1 deadline for choosing and reporting on a site for a new correctional facility until October 1, 2015.

### Report from Commission Consultants

Received a [report](#) from commission consultants regarding the state's need for a new correctional facility. Consultants also discussed issues surrounding reconstructing the Utah State Prison at its current location in Draper.

Also received a [report](#) from commission consultants regarding the technical evaluation of the four relocation sites currently under the commission's consideration.

*Chairs: Rep. Brad R. Wilson / Sen. Jerry W. Stevenson  
Staff: Brian J. Bean (Policy Analyst) / Bryant R. Howe (Assistant Director) / Robert H. Rees (Attorney) / Bree Frehner (Legislative Assistant)*

## Public Utilities and Technology

### Generation and Use of Data

Received a [presentation](#) from a private sector information analyst regarding the increasing production of data and how consumers are unwittingly allowing commercial entities to use their personal data for any legal purpose, via end user licensing agreements.

The Utah State Open Data Coordinator [presented](#) information about the Department of Technology Service's program for enhancing the collection and usability of state collected data. The program will provide for public access to non-private data across all state databases in the near future.

### Interstate Transmission Lines

Received a [presentation](#) from Office of Energy Development about three interstate electrical power transmission projects that affect Utah and other western states. The three projects are:

- PacifiCorp Gateway West;
- PacifiCorp Gateway South; and
- Transwest Express.

The Transwest Express line has been in the permitting process for eight years, and with its final environmental impact statement now complete, a decision by the Federal Energy Regulatory Commission is expected by fall 2015. Additional electric intrastate transmission projects are also being proposed to meet electric power demand at population centers such as St. George and Spanish Fork.

### Utah Universal Service Fund

Received a [presentation](#) from the Office of the Utah State Auditor regarding an audit of federal changes in provisions governing the federal Universal Service Fund and how the changes will affect Utah's funding of its companion Universal Service Fund. Projections for additional funds to cover the new federal definition of telecommunication services that includes broadband are considerable and require state legislative bodies to give guidance to the Utah Public Service Commission on the collection of fees to cover increased costs.

Received presentations from [rural](#), urban, and [interstate](#) telecommunication providers about Utah's current policy for supporting its Universal Service Fund and its Public Utility Regulatory Fund. Presenters indicated that the current funding process is adequate but needs review for future fee-based support. Discussed which commercial telecommunication providers should participate in the fee collection for Universal Service Funds and whether all telecommunication providers should be included in the funding of both the Universal Service Fund and the Public Utility Regulatory Fund.

*Chairs: Rep. Ken Ivory / Sen. David P. Hinkins  
Staff: Richard C. North (Policy Analyst) / Samuel C. Johnston (Attorney) / Tracey Fredman (Legislative Assistant)*

## Retirement and Independent Entities

June 24, 2015

### Performance Audit of Utah Retirement Systems' Management and Investment Practices

Received a [presentation](#) from the Legislative Auditor General regarding an audit titled "[Performance Audit of URS' Management and Investment Practices.](#)" The audit recommended that URS take steps to be more transparent and consider reviewing its high alternative asset allocation. The audit found that the URS board and staff are qualified to perform fiduciary responsibilities and that the defined contribution investment manager selection and retention processes are satisfactory. URS [responded](#) to the audit recommendations.

### Postretirement Employment Restrictions and Phased Retirement

Received [presentations](#) from committee staff and URS on postretirement employment restrictions. In December 2014, the Office of Legislative Research and General Counsel released a briefing paper, "[Utah Postretirement Employment Restrictions.](#)" explaining the purpose, background, provisions, timelines, and perspectives regarding the restrictions. URS gave a [presentation](#) on an alternative phased retirement concept that allows a retiree to continue working part-time while drawing a partial salary and a partial retirement benefit.

### Retirement Systems Overview and 2015 Legislative Update

Received presentations from [committee staff](#) and URS, including a [briefing](#) on 2015 legislation that passed, an [overview](#) of the Utah Retirement Systems, and a review of the "[Utah Retirement Systems 2014 Comprehensive Annual Financial Report.](#)" URS provides retirement systems for Utah public employees, excluding federal employees.

*Chairs: Rep. Craig Powell / Sen. Todd Weiler  
Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Attorney) / Shannon C. Halverson (Attorney) / Katie LeFevre (Legislative Assistant)*

## Revenue and Taxation

### Corporate and Franchise Income Taxes — Single Sales Factor Apportionment

**Action:** Adopted as a committee bill, [draft legislation "Apportionment of Business Income Amendments,"](#) which repeals obsolete language and makes technical and conforming changes.

### Historic Preservation Tax Credit

**Action:** Adopted as a committee bill, [draft legislation "Tax Credit Amendments,"](#) which repeals a provision that prohibits a person from carrying forward a tax credit if the State Tax Commission is required to remove the tax credit from a tax return and exempts corporate and individual historic preservation tax credits from provisions requiring the State Tax Commission to remove a tax credit from a tax return.

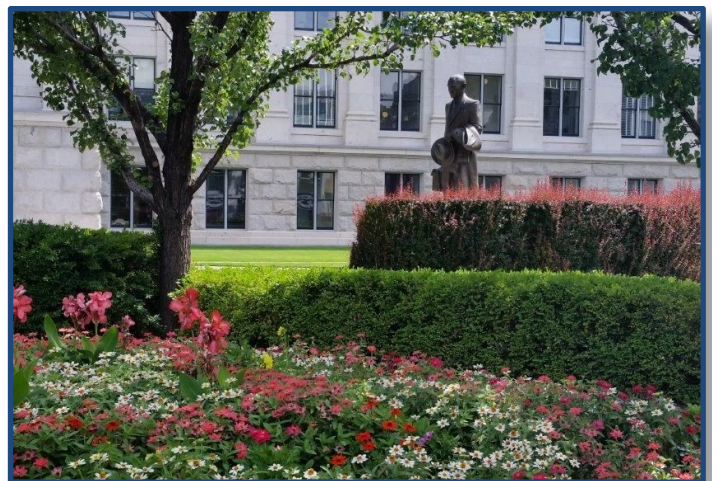
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### Rate Reduction for Utah Variable Life Insurance Premiums

**Action:** Adopted as a committee bill, [draft legislation "Taxation of Admitted Insurers Amendments,"](#) which repeals requirement that a study be conducted by the committee every three years on the rate reduction in variable life insurance premiums.

### Report: Alternative Energy Development Tax Credits

Received a statutorily required report from the Office of Energy Development regarding the office's success in attracting energy development projects to the state and the granting of alternative energy development tax credits. No tax credits have been granted since the credits were made available for the 2012 taxable year. However, the office reported that it has recently received applications for potential solar and geothermal projects in Iron, Kane, and Millard counties.



### Review of Committee Studies and Reports

Reviewed the committee's [statutorily required studies and reports](#) as well as recommendations from the committee chairs on whether to keep, repeal, or modify the studies and reports.

**Action:** Voted to adopt the chairs' recommendations, including certain changes to the recommendations as advanced by the committee.

### Study: Brine Shrimp Royalty

Reviewed the [Brine Shrimp Royalty Act](#) and received comments from the Utah Artemia Association regarding the impact of the brine shrimp royalty on businesses that harvest brine shrimp eggs.

**Action:** Voted to continue the brine shrimp royalty as currently constituted.

*Chairs: Rep. Daniel McCay / Sen. Deidre M. Henderson  
Staff: Bryant R. Howe (Assistant Director) / Leif G. Elder (Policy Analyst) / John L. Fellows (General Counsel) / Bree Frehner (Legislative Assistant)*



## Senate Judicial Confirmation

July 07, 2015

### Confirmation of Ms. Elizabeth Knight

Recommended to the Senate the confirmation of Ms. Elizabeth Knight as a judge to the Third District Juvenile Court.

The Senate met in extraordinary session on July 15, 2015, and confirmed the appointment of Ms. Knight.

*Chairs: Sen. Scott K. Jenkins*

*Staff: Michael E. Christensen (Director) / Susan Creager Allred (Attorney) / Lucy W. Daynes (Legislative Assistant)*

## State Water Development Commission

July 14, 2015

### Water Conservancy Districts' Issues

Discussed disputes between the Duchesne County Water Conservancy District and the Central Utah Water Conservancy District over the distribution, storage, and payment of water developed as part of the Central Utah Water Project.

### Environmental Protection Agency Clean Water Act Rule

Received a report from the Libertas Institute on Environmental Protection Agency rules that impact the definition of "waters of the United States" under the Clean Water Act. The commission discussed the possible impacts of the rules and how the state might respond.

**Action:** Passed a motion directing the preparation of a resolution that addresses the issue of state jurisdiction over intrastate waters.



### Irrigation and Canal Companies

Received a report from the Utah Association of Irrigation and Canal Companies on how the association promotes the interests of Utah irrigation, canal, ditch, and reservoir companies and provides education, training, and advice to members and the public.

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## Rural Water Technology

Received a [report](#) from the Rural Water Technology Alliance on how the alliance provides real-time water management technology solutions.

*Chairs: Rep. Keith Grover / Sen. Margaret Dayton*

*Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Attorney) / Katie LeFevre (Legislative Assistant)*

## Transportation

### 2015-2040 Regional Transportation Plan

Received a [presentation](#) from the Wasatch Front Regional Council on the recently adopted 2015-2040 Regional Transportation Plan, which includes input from each of the state's metropolitan planning organizations.

### Bonding Capacity and Debt Limit

Received a [presentation](#) from the Utah State Treasurer regarding Utah's bonding capacity, debt limit, and the current transportation pay-down structure.

### Current and Future Interstate 15 Projects

Received presentations from the Department of Transportation, locally elected officials, and [local development managers](#). The department addressed current and [future construction projects](#) over the next five to seven years along Interstate 15. The Department of Transportation [presentation](#) also included a [handout](#) addressing a project on I-15 between Lehi's Main Street and State Road 92.

### Economic Development and Transportation Coordination

Received a combined [presentation](#) from the Office of Economic Development and the Department of Transportation regarding coordination between the two agencies to address economic development. Discussed ways to improve coordination and enhance economic development efforts and outcomes.

*Chairs: Rep. Johnny Anderson / Sen. Alvin B. Jackson*

*Staff: Art L. Hunsaker (Policy Analyst) / Shannon C. Halverson (Attorney) / Kurt P. Gasser (Attorney) / Timothy J. Barber (Legislative Assistant)*

## Utah Tax Review Commission

June 25, 2015

### Earmarking of the State Sales and Use Tax

Received a [report](#) from the Legislative Fiscal Analyst regarding trends in earmarked sales tax revenue for transportation related purposes. The Legislative Fiscal Analyst also presented an [updated accounting](#) of all revenue from all sales tax earmarks. Received a [presentation](#) from a low-income advocacy organization regarding the growth in both the number of sales tax earmarks and the growing revenue from sales tax earmarks.

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**Action:** Voted to recommend to eliminate the earmark of the state sales and use tax for the Agriculture Resource Development Fund.

Chair: Mr. Curtis Trader

Staff: Bryant R. Howe (Assistant Director) / Leif G. Elder (Policy Analyst) / Rebecca L. Rockwell (Attorney) / Bree Frehner (Legislative Assistant)

## Veterans' and Military Affairs Commission

June 23, 2015

### National Defense and Public-Private Utah Partnerships

Received a presentation from the Utah Defense Alliance about public-private partnerships in supporting national defense objectives. Those objectives include:

- expanding of the Utah Test and Training Range;
- contracting with the University of Utah to study the economic impact of Utah's military installation and defense contractor complexes;
- promoting the development of software facilities; and
- basing of the U.S. Air Force's new F-35 fighter jet at Hill Air Force Base.

### Definition of Veterans Impact Study

Received a [presentation](#) from the Utah Department of Veterans and Military Affairs concerning the impact of amending Utah's definition of a veteran in 2015 General Session [H.B. 36](#), "Veterans Definition." This legislation required a study of the impact on related sections of the Utah Code and provided for a delayed effective date of 2016

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in order to allow additional legislation to be prepared for the 2016 General Session. The initial review by the department over the last six months has resulted in recommendations to organize the study around employment, education, and benefits.

### Veterans Services Organizations Report

Received presentations from the Utah Veterans Advisory Committee and the American Legion regarding outreach programs for communities, veteran funeral honors support, disabled veterans, medical facility transportation, and children's programs.

### Veterans State Parks Pass

Received a report from the State Parks Board and the Division of State Parks and Wildlife about the diminishing availability of veterans state parks passes and challenges facing the forty-three state parks, including the recent significant cut in General Fund budgeting from \$13 million to \$4 million, and loss of personnel.

### Workforce Services Job Listing Amendments

Received presentations from the Utah Department of Workforce Services on how a publicly funded entity can create an online account in approximately 15 minutes to provide statewide public notice of employment opportunities.

**Action:** Voted to recommend that legislation be drafted requiring all publicly funded entities to report employment opportunities to the Utah Department of Workforce Services for public posting.

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

Staff: Richard C. North (Policy Analyst) / Esther Chelsea-McCarty (Attorney) / Tracey Fredman (Legislative Assistant)

## Next Interim Day — August 19, 2015



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Leif G. Elder, Tracey Fredman, and Bree A. Frehner.

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