

# Interim Highlights

May 22 Vol. 17, No. 1



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## Legislative Interim Meetings

Meetings were held May 17, 2017, or as noted

### Administrative Rules Review Committee

May 02, 2017

#### 2017 General Session Administrative Rules-Related Legislation

Discussed the following Administrative Rules-related legislation that was introduced in the 2017 General Session;

- [H.B. 148, Reauthorization of Administrative Rules;](#)
- [H.B. 275, Utah Administrative Rulemaking Act Amendments;](#)
- [H.B. 272, Regulatory Impact Amendments;](#) and
- [Excerpt from H.B. 442, Alcohol Amendments](#)

#### Annual Audit: Bills Passed in 2017 General Session Appearing to Require State Agency Administrative Rulemaking

Discussed the annual audit of bills passed in the most recent general legislative session, to ensure administrative rules are submitted to implement bills that require new administrative rulemaking.

- [2017 General Session Legislation that Appears to Require Administrative Rulemaking](#)

- [2017 General Session Legislation that May Require Repeal of Administrative Rules](#)

#### Governor's Executive Order Establishing Effective Oversight Over State Agency Rulemaking

Discussed the Governor's [executive order No. 2017-1](#) Establishing Effective Oversight Over State Agency Rulemaking, including [comparison](#) of 2011 and 2017 Executive Orders related to the Administrative Rulemaking process.

#### Higher Education: Policies and Procedures Development

Received a [presentation](#) from Utah Valley University regarding its process for developing and approving campus [policies and procedures](#).

#### Need for Rules to Implement the Used Oil Recycling Block Grant

Discussed the Division of Waste Management and Radiation Control's program for facilitating used oil collection, and the need for further administrative rulemaking to clarify how the program works.

***Action:** Voted to request that the Division of Waste Management and Radiation control conduct additional administrative rulemaking related to the*

*Used Oil Recycling Block Grant program and that the division present draft administrative rules to the committee at a future meeting.*

**Chairs:** Rep. Brian M. Greene / Sen. Howard A. Stephenson  
**Staff:** Art L. Hunsaker (Policy Analyst) / Amy L. West (Attorney) / Tracey Fredman (Legislative Assistant)

## Business and Labor

### Overview of 2017 General Session Legislation

Received a briefing from committee staff on committee-related bills that passed during the 2017 General Session.

#### Performance Audit of the Utah Antidiscrimination and Labor Division's Employment Discrimination Unit Report #2017-02

Received a presentation from the Legislative Auditor General's Office regarding the findings of the [Performance Audit of the Utah Antidiscrimination and Labor Division's Employment Discrimination Unit Report #2017-02](#).

Discussed the following issues:

- Insufficient investigation and mediation processes;
- Low rate of cause findings and insufficient public accountability; and
- Inadequate performance measures and high turnover.

The Labor Commission and the Utah Antidiscrimination and Labor Division responded to the audit findings and discussed implementation of the recommendations.

**Action:** *Voted to open a committee bill to draft legislation that provides the Utah Antidiscrimination and Labor Division with subpoena power during the investigative process and that updates language to more accurately reflect the processes and terminology describing investigative practices.*

### Sunset Review Reports

Discussed sunset review of [Section 34A-2-705](#) and [Subsection 59-9-101\(2\)\(c\)\(iv\)](#) regarding the Industrial Accident Restricted Account.

Discussed sunset review of [Section 63I-1-257](#) and [Section 63I-1-278](#) regarding Foreclosure of Residential Rental Property - Effect on Tenancy.

**Action:** *Voted to:*

- *Remove the sunset provision for Section 34A-2-705 and Subsection 59-9-101(2)(c)(iv); and*
- *Allow Section 57-1-25.5 and Section 78B-6-802.7 to sunset.*

**Chairs:** Rep. James A. Dunnigan / Sen. Curtis S. Bramble  
**Staff:** M'kynzi E. Newbold (Policy Analyst) / Samuel C. Johnston (Attorney) / Christine R. Gilbert (Attorney) / Lucy W. Daynes (Legislative Assistant)

## Commission on Federalism

### Future Study Items

Discussed potential study items for the 2017 interim, including:

- Reviewing the federalism issues identified in [H.J.R. 17, Joint Resolution to Restore the Division of Governmental Responsibilities Between the National Government and the States](#);
- Drafting form letters that could be used to notify federal agencies and our federal delegation of specific actions by the federal government that violate the principles of federalism as identified by the commission; and
- Working with staff and legislators in other states to identify and gauge interest in holding a national federalism reception.

### Update on Federalism Issues

Received an update from a legislator

about efforts in other states regarding federalism issues and interest from other states with respect to the work of the commission.

**Chairs:** Rep. Ken Ivory / Sen. Allen M. Christensen  
**Staff:** Jerry D. Howe (Managing Policy Analyst) / Nathan W. Brady (Policy Analyst) / Robert H. Rees (Attorney) / Cassidy Hansen (Legislative Assistant)

## Economic Development and Workforce Services

### 2017 Legislation

Received a [presentation](#) from committee staff on legislation passed during the 2017 General Session related to the work of the committee.

### Department of Heritage and Arts

Received a presentation from the Department of Heritage and Arts regarding the department's top three goals for the year, which include:

- Leveraging collaboration with cities and towns, non-profit groups, state agencies, and others in the community to create partnerships that expand the impact of department grants;
- Encouraging civic education and participation in the arts; and
- Protecting Utah's treasures by finding a new location to house collections.

### Department of Workforce Services

Received a [presentation](#) from the Department of Workforce Services regarding the department's top three goals for the year, which include:

- Aligning workforce development strategy to meet industry and employment needs;
- Supporting the implementation of the state's affordable housing and homelessness plans; and
- Establishing the Utah Data Research Center established by the legislature during the 2017 General Session.





The department discussed the [work](#) of the State Homeless Coordinating Committee, discussed and informed the committee that the Olene Walker Housing Loan Fund Board approved additional money to supplement the money the Legislature has appropriated to address homelessness.

#### **Governor's Office of Economic Development**

Received a [presentation](#) from the Governor's Office of Economic Development regarding the department's top three goals for the year and any anticipated legislation requests, which include:

- Developing comprehensive metrics for more effective outcomes and data-driven decisions;
- Streamlining the office to focus on

its core mission of economic development and the creation of high-paying jobs; and

- Ensuring future economic development success and prosperity by supporting strategic growth to diversify the state's economy and strengthen its foundation in the event of an industry downturn or recession.

The office also identified the following areas of potential legislation:

- Streamlining the Governor's Office of Economic Development;
- Modifying the Industrial Assistance Fund;
- Funding talent recruitment and development; and
- Clearly defining objectives or goals of economic development

related legislation.

#### **Point of the Mountain Development Commission**

Received a [presentation](#) from the Point of the Mountain Development Commission regarding the first phase of the commission's work. The presentation included an overview of the makeup and statutory duties of the commission, the public outreach and research activities undertaken to date, and the plan for future commission efforts. The committee received an executive summary of a [report](#) outlining the following key findings identified during the first phase of the commission's work:

- Transportation as a key concern for the future of the area;
- The development of a nationally recognized research facility as a





potential catalyst for economic growth; and

- Clean air, greenspace, and walkable communities as strong desires among the people with an interest in the future of the Point of the Mountain.

#### **Utah Science Technology and Research Initiative (USTAR)**

Received a [presentation](#) from the Utah Science Technology and Research

Initiative regarding USTAR's top three goals for the year, which include:

- Building on the success of USTAR competitive grant programs;
- Enhancing partnerships with other economic development stakeholders including state agencies and industry partners; and
- Refining metrics to evaluate the

USTAR's success.

#### **Utah Capital Investment Corporation**

Received a [presentation](#) from the Utah Capital Investment Corporation regarding the corporation's top three goals for the year, which include:

- Facilitating an investment from a large public pension in a Utah-based fund;
- Assisting a Utah based company to successfully obtain financing from a non-Utah based investor; and
- Paying down outstanding debt.

**Chairs:** Rep. Rebecca P. Edwards/ Sen. Jacob L. Anderegg

**Staff:** Ryan M. Hunter (Policy Analyst) / Peter Asplund (Attorney) / Debra Hale (Legislative Assistant)

#### **Federal Funds Commission**

May 18, 2017

##### **Federal Grant Management System**

Received an update from the Division of Finance on the procurement of a Federal grant management system.

##### **Overview of Commission**

Received a presentation from committee staff on:

- The [powers and duties](#) of the commission;
- The [economic risk analysis](#) procured by the commission;
- The Federal Funds [Risk Model](#); and
- [Commission related legislation](#).

The committee also received [information](#) and a demonstration on the Federal Funds Risk Model from the Office of the Legislative Fiscal Analyst.

##### **Selection of a Commission Chair**

May 2017

**Action:** *Voted and selected Rep. Justin L. Fanson as a new commission chair.*

Chairs: Rep. Ken Ivory / Sen. Lincoln Fillmore  
Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Joshua M. Weber (Legislative Assistant)

## Education

### Juvenile Justice

Received a [presentation](#) from the bill sponsor regarding the impact of 2017 General Session [HB 239](#), “Juvenile Justice Amendments,” on public education.

### Legislative Audits

Received a [presentation](#) from the Office of the Legislative Auditor regarding the findings of the [Survey of P-Card Controls In Higher Education](#). The Office of the Legislative Auditor also [presented](#) the [survey](#) of “Allegations Involving USU Anthropology Program.”

Utah State University responded to the audit findings.

The committee found that the Utah System of Higher Education and Utah State University were taking appropriate actions to address the audit findings.

### Recodification of the Public Education Code

Discussed a proposed recodification of the public education code.

**Action:** *Voted to open three committee bill files to reorganize the public education code into three titles.*

### Statewide Goals and Outcome Metrics for Education, Preschool through Advanced Degrees, and Careers (P-20)

Discussed developing statewide goals and outcome metrics for preschool through advanced degrees and careers. Received presentations from:

- [The State Board of Education](#);

- [The Utah System of Higher Education](#);
- [The Utah System of Technical Colleges](#); and
- [The Governor’s Office](#).

Chairs: Rep. Val L. Peterson / Sen. Ann Millner  
Staff: Allyson R. Goldstein (Policy Analyst) / Nathan W. Brady (Policy Analyst) / Rebekah M. Bradway (Attorney) / Victoria Ashby (Attorney) / Debra Hale (Legislative Assistant)

## Government Operations

### Code Simplification

Discussed the creation of a legislative entity whose purpose is to simplify and reduce the size of the state code. The committee heard from Colorado state legislators regarding the [Colorado Statutory Revision Committee](#), which was [created](#) to review state code.

### Interim Planning

Reviewed the committee's plans for the interim, including the committee's [preliminary interim schedule](#) and a directive from the Legislative Management Committee to study and make recommendations on any changes needed to entities for which current law requires legislative participation.

**Action:** *Voted to open committee bill files to address:*

- *Suggestions by the Office of the Lieutenant Governor for amending statutes related to the duties of the lieutenant governor;*
- *Address errors in the code identified by committee staff relating to government operations; and*
- *Address provisions related to the Lobbyist Disclosure and Regulation Act.*

### Long-Term Planning: Voting Equipment Selection Committee

Received an [update](#) from the Office of the Lieutenant Governor regarding the

state's procurement of new voting equipment. Recommendations on possible legislative action include:

- Appropriating supplemental state funds for the purchase of voting equipment;
- Requiring that county clerks conduct all elections in the state;
- Providing for a consistent method of voting across local jurisdictions; and
- Updating election laws to meet changing technology.

**Action:** *Voted to open a committee bill file to address who is responsible for administering various elections in the state.*

### Presidential Primaries

Discussed funding for a presidential primary election pursuant to 2017 General Session [H.B. 204](#).

### Ranked Choice Voting

Received a [presentation](#) from the Ranked Choice Voting Resource Center regarding the administration of a ranked choice voting election.

**Action:** *Voted to open a committee bill file to implement ranked choice voting in the state.*

### Report from Government Records Ombudsman

Received a [statutorily](#) required [report](#) from the government records ombudsman regarding the work performed by the ombudsman during the previous year.

### State Facility Energy Efficiency Fund

Received a [statutorily](#) required [report](#) from the Division of Facilities Construction and Management on actual savings resulting from energy efficiency measures implemented using loan money from the State Facility Energy Efficiency Fund.

Chairs: Rep. Jeremy A. Peterson / Sen. Wayne A. Harper  
Staff: Brian J. Bean (Policy Analyst) / Thomas R. Vaughn (Attorney) / Brent M. Gage (Legislative Assistant)

## Health and Human Services

### Health Care Reform / Long-Term Planning

Received a report from committee staff on a [2015 report](#) by the Commonwealth Fund comparing the health care systems of 18 countries, including the United States.

Also, received a demonstration by committee staff of an [online tool](#) published by the New England Journal of Medicine that allows a user to compare 21 measures of health care system performance across 15 countries, including the United States.

### Interim Study Objectives

Received a report from the committee chairs on the [objectives](#) of the four interim study topics assigned to the committee by the Legislative Management Committee.

### Medicaid Management Information System

Received a [presentation](#) from the Department of Health on its [ongoing project](#) to replace the Medicaid program's management information system. The department is evaluating whether the state should join a multi-state consortium that will provide cloud-based data processing from a data center in Michigan. The department reported the cloud-based solution could reduce state costs from 2016 to 2026 by more than \$23 million.

### Opioid Misuse

Received a [report](#) from committee staff on eight bills passed during the 2017 General Session addressing opioid misuse.

Received a report from a legislator on the Division of Occupational and Professional Licensing's development of a "prescriber dashboard," an analytic tool that will make the division's controlled substance database more

useful to opioid prescribers.

Also, received a report from a legislator on data the Department of Health will provide to the committee on opioid overdoses and opioid prescribing practices, including use of the controlled substance database.

### Sunset Reviews

Received introduction from committee staff to three [sunset reviews](#) to be conducted this year, which will include reviews of:

- The requirement for [insurance coverage of autism services](#);
- The requirement for [reporting on suicide prevention](#); and
- The creation of the [Mental Health Crisis Line Commission](#).

Chairs: Rep. Brad M. Daw / Sen. Lincoln Fillmore  
Staff: Mark D. Andrews (Policy Analyst) / Tara Harrison (Attorney) / Amy L. West (Attorney) / Joshua M. Weber (Legislative Assistant)

## Judiciary

### DNA - Post Conviction Testing

Received a [report](#) from the Rocky Mountain Innocence Center regarding concerns on a statutory provision prohibiting a court from ordering post-conviction DNA testing in cases for which:

- DNA testing was available at the time of trial; and
- The person did not request DNA testing or present DNA evidence for tactical reasons.

The committee also listened to concerns of the Office of the Attorney General regarding any change to that statutory provision.

**Action:** *Voted to open a committee bill file addressing statutory amendments related to DNA.*

### DNA - State Database

Discussed a proposal to study the

feasibility of increasing the number of DNA samples collected and tested and increase the number of DNA identity markers added to the state DNA database.

### Family Law - Conciliation Petition

Heard an explanation of a proposal to study the conciliation petition statutes.

### Family Law - Parent Time

Discussed a proposal to refine 2017 General Session [H.B. 321](#) "Parenting Plan Amendments."

### Indigent Defense

Received a [presentation](#) from the Indigent Defense Commission explaining the purpose and activities of the commission. The presentation included a review of constitutional provisions, case law, statutory provisions, indigent defense systems in Utah, and commission expenditures and duties.

### Long-Term Planning

Discussed and identified current, emerging, and future study issues. Committee members suggested studying alimony, children's justice centers, drug courts, internet fraud, and mens rea reform.

### Reports to Judiciary Interim Committee

Reviewed a list of statutorily required [reports](#) to the Judiciary Interim Committee. Some required reports have report dates that have past. The committee discussed which reports to request an oral report in addition to the written report, and which report requirements to eliminate from the statute.

**Action:** *Voted to open a committee bill file to repeal obsolete report requirements.*

Chairs: Rep. Mike K. McKell / Sen. Todd Weiler  
Staff: Joseph T. Wade (Policy Analyst) / Patricia Owen (Attorney) / Lucy W. Daynes (Legislative Assistant)



May 2017

## Law Enforcement and Criminal Justice

### 2017 Interim Studies

Discussed [priority study items](#) as approved by Legislative Management Committee.

**Action:** *Voted to rank the study items in the order they will be heard during the 2017 Interim.*

### Law Enforcement and Criminal Justice Legislation

Received a [presentation](#) from committee staff regarding bills introduced during 2017 General Session in the Law Enforcement and Criminal Justice area.

### Motor Carrier Ports of Entry

Received a presentation from a legislator regarding draft legislation [Port of Entry and Axle Weight Amendments](#) which would allow the Department of Transportation discretion in imposing fines for overweight vehicles based on the circumstance.

**Action:** *Approved as a committee bill to draft legislation "Port of Entry and Axle Weight Amendments."*

### Performance Audit of the Sex Offender Treatment Program

Reviewed the results of the Legislative Auditor General's [report](#), "Performance Audit of the Sex Offender Treatment Program," with a summary of the program's inefficiencies and lack of oversight provided by the Office of the Legislative Auditor General. The committee then heard from the Department of Corrections on institutional changes made to the program in [response](#) to the audit.

**Action:** *Voted to have the Department of Corrections return in November to provide a follow-up assessment on the effectiveness of changes made to the Sex*

### Offender Treatment Program.

Chairs: Rep. Lee B. Perry / Sen. Don L. Ipson  
Staff: Esther Chelsea-McCarty (Attorney) / John L. Fellows (General Counsel) / Nathan Brady (Analyst) / Joshua M. Weber (Legislative Assistant)

## Legislative Management Committee

April 11, 2017

### Authorized Legislative Meetings

**Action:** *Approved the Authorized Legislative Meetings [list](#) that identifies the meetings legislators may be paid for attending.*

### Interim Schedule

**Action:** *Approved the interim committee schedule for both interim committees and appropriation subcommittees.*

### Interim Study Items

**Action:** *Approved the [Potential Study Items](#) list with the following additions or changes:*

### Business and Labor:

- Add-[SB 221](#) Strategic Plan for Equal Compensation (2017 General Session)
- Add-Ticket Resale Fraud

### Economic Development and Workforce Services:

- Delete-review of Governor's Office of Economic Development programs
- Delete-Utah Technology and Research Initiative
- Delete-process to rank Heritage and Arts requests to the Business and Economic Development and Labor Appropriations Subcommittee
- Add – [HB 147](#) Living Wage Amendments (2017 General Session)

### Transportation:

- Deleted-Autonomous Vehicles and preparing for their use



- Deleted two additional committee meetings. (Though deleted here the letter requesting these meetings was approved.)

#### Letters to Legislative Management Committee

**Action:** Acted on the following letters:

- Approved a [letter](#) from Executive Appropriations Committee to assign a study of the issue brief “Evaluating Tax Exceptions and Inducements” to the Revenue and Taxation Interim Committee
- Approved a request from the Education Interim Committee for two additional meetings.
- Chose not to act on a [letter](#) from the Law Enforcement and Criminal Justice Interim Committee requesting two additional meetings.
- Chose not to act on a [letter](#) from the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee requesting a two-day site visit to the Bears Ears National Monument.
- Approved a [request](#) from the Revenue and Taxation Interim Committee to hold up to three all-day meetings in addition to the scheduled meetings.
- Approved the [request](#) from the Transportation Interim Committee to

hold two additional meetings to study autonomous vehicles.

#### Sunset Act and Repealers Review

**Action:** Approved the [recommendations](#) of staff to assign Sunset Act and Repealers review to the listed interim committees.

**Chairs:** President Wayne L. Niederhauser / Speaker Gregory H. Hughes  
**Staff:** Michael E. Christensen (Director) / John L. Fellows (General Counsel) / Denise L. Udy (Administrative Assistant)

### Natural Resources, Agriculture, and Environment Committee

#### Bountiful Air Toxics Study

The committee received a [report](#) from the Division of Air Quality on saturation air toxics monitoring in Davis County.

#### Energy Producer States' Agreement

Received a report on Utah's involvement in the Energy Producing States' Coalition and the efforts of the coalition to establish an energy production agreement.

#### Long Term Planning

Received reports from the Department of Natural Resources, the [Department of Environmental](#)

[Quality](#), and the [Department of Agriculture and Food](#) on critical issues the departments will face in the future.

#### Public Lands Policy Coordinating Office - Activities and Expenditures / R.S. 2477 Plan

Received a report from the Public Lands Policy Coordinating Office on its activities and on the status of state efforts to identify and designate R.S. 2477 rights-of-way in the state. The [R.S. 2477](#) plan, adopted by the Constitutional Defense Council, is established for the purpose of asserting, defending, and litigating state and local government rights and claims regarding federal R.S. 2477 roads.

#### Regulation of Above-Ground Storage Tanks

The committee discussed whether the Department of Environmental Quality should regulate above-ground storage tanks.

#### Environmental Health Scientist Act

The committee discussed re-authorization of the Environmental Health Scientist Act and possible amendments to licensing provisions of the act.

#### Underground Storage Tank Act

The committee discussed re-authorization of the Underground





Storage Tank Act and possible amendments to the act.

#### Water Development Commission

***Action:** Passed a motion to recommend that the sunset date for the Water Development Commission be repealed.*

#### Uintah Basin Air Quality Research Project

Received a [report](#) from the Utah State University Bingham Entrepreneurship and Energy Research Center on the Uintah

Basin wintertime ozone air quality research project.

Chairs: Rep. Keven J. Stratton / Sen. Margaret Dayton  
Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Attorney) / Cassidy Hansen (Legislative Assistant)

## Occupational and Professional Licensure Review Committee

May 01, 2017

#### Overview of Committee Responsibilities

Received a briefing from committee staff on committee-related bills that passed during the 2017 General Session, including S.B. 212 "Professional Licensing Amendments" and H.B. 94 "Occupational and Professional Licensure Review Committee Amendments" regarding changes to the responsibilities of the committee.

Chairs: Rep. Brian M. Greene / Sen. Todd Weiler  
Staff: M'kynzi E. Newbold (Policy Analyst) / Peter Asplund (Attorney) / Debra Hale (Legislative Assistant)

## Political Subdivisions

#### 2017 Interim Study Items

Reviewed and discussed the committee's 2017 Interim [study items](#).

#### Local Government Enforcement Mechanisms

Discussed several issues relating to local government enforcement,

including:

- City and county responsibilities to provide indigent defense; and
- The need to review existing statutory penalties and the lack of penalty uniformity between local government jurisdictions.

#### Local Government Lien Power

Received an overview and [research summary](#) from a legislator regarding statutory provisions that grant lien power to local government entities.

#### Long-Term Planning

Received presentations from the Utah League of Cities and Towns (ULCT), the Utah Association of Special Districts (UASD), and the Utah Association of Counties (UAC) describing the priority issues affecting local government entities. The highest priorities for the ULCT include:

- The shift in the economy toward online purchases and subsequent sales tax revenue reductions;
- Accommodating population growth; and
- The role of local government within the context of the state and federal governments.

For the UASD, priority issues include:

- Emergency preparedness and disaster response;
- Regulatory compliance and unfunded mandates;
- Aging infrastructure; and
- Funding for new infrastructure.

UAC identified the following priority issues:

- Modifications in the tax structure to address changes in the economy;
- Available tools and competing priorities related to economic development;
- Gaps in funding and service provision for county jail and

behavioral/mental health systems; and

- The need for better training for part-time, elected officials.

#### Municipal Encroachment on Local and Special Service Districts

Discussed issues relating to a municipal annexation of an area already served by a local or special service district. Representatives from the Utah League of Cities and Towns (ULCT) and Utah Association of Special Districts (UASD) spoke to the issue. Although existing statute addresses this type of situation, stakeholders will explore whether clarifications are needed to reduce future conflicts related to service provision between a municipality and district.

Chairs: Rep. Dixon M. Pitcher / Sen. Daniel W. Thatcher  
Staff: Megan L. Bolin (Policy Analyst) / Michael E. Curtis (Attorney) / Lori Rammell (Legislative Assistant)

## Point of the Mountain Development Commission

May 10, 2017

#### Phase One Report

Received a [presentation](#) and [report](#) from Envision Utah regarding the first phase of the commission's efforts, which involved:

- Public outreach through public workshops;
- Meetings with local government officials and other key stakeholders;
- Online surveys;
- Expert research into existing real estate, transportation, infrastructure, and environmental conditions;
- Case studies of comparable areas; and

- Real estate development projections for the region.

The report identified:

- Transportation as a key concern for the future of the area;
- The development of a nationally recognized research facility as a potential catalyst for economic growth;
- And clean air, greenspace, and walkable communities as strong desires among the people with an interest in the future of the Point of the Mountain.

**Action:** *Voted to approve payment of invoices [2](#), [3](#), and [4](#) from Envision Utah for their work on Phase one.*

**Action:** *Approved the [proposed budget](#) for the second phase of the commission's work.*

Chairs: V. Lowry Snow / Mr. Christopher Conabee  
Staff: Ryan M. Hunter (Policy Analyst) / Peter Asplund (Attorney) / Robert H. Rees (Attorney) / Lucy W. Daynes (Legislative Assistant)

## Prison Development Commission

April 14, 2017

### Project Budget and Financing

Received a [request](#) from the State Bonding Commission for the Prison Development Commission to provide a [statutorily required](#) recommendation regarding the timing and issuance of bonds for the construction of the new correctional facility. The commission also received a [staff overview](#) of prison bonding.

**Action:** *Voted to Recommend:*

- *The State Bonding Commission issue general obligation bonds in fiscal year 2018 in an amount not to exceed \$240,000,000 in proceeds for the new prison project;*

and

- *The timing and amount of any additional issuance of bonds for the new prison project for a fiscal year after 2018 be considered each year as the State Bonding Commission makes a request for recommendation, as provided in Utah Code Section 63B-25-101 (6).*

### Project Update

Received a [presentation](#) from the prison project construction team regarding the design and construction of the new correctional facility. The commission also received an update on the facility's construction schedule.

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

## Public Utilities, Energy and Technology

### Broadband Privacy

Discussed the technical, legal, and policy issues surrounding broadband privacy and the impact it has on consumers, internet service providers, and third parties.

### Data and Command Center Tour

Toured the Department of Technology Services data and command center in the State Office Building. Reviewed security measures and received a briefing on the technical components and functionality of the state's data center.

### Long-Term Planning

Received briefings on long-term planning for the areas for which the committee has jurisdiction. Heard the long-term plans, goals for the year,

and anticipated requests for legislation from the following entities:

- [Department of Technology Services](#);
- Office of Consumer Services;
- [Public Service Commission](#); and
- Division of Public Utilities.

### Report of Bills Passed

Reviewed 2017 General Session [legislation](#), that relates to the areas of public utilities, energy, and technology.

### Topics for Interim Study

Discussed the 2017 interim study item assignments from the Legislative Management Committee and required reports for the committee to receive. Discussed committee goals for the year and the interim meeting [schedule](#).

Chairs: Rep. Stephen G. Handy / Sen. Daniel Hemmert  
Staff: Adam J. Sweet (Policy Analyst) / Samuel C. Johnston (Attorney) / Tracey Fredman (Legislative Assistant)

## Revenue and Taxation

### Long-Term Planning

Received a [presentation](#) from the Utah State Tax Commission on issues regarding:

- The taxation of military spouse income;
- Changes in the Multistate Tax Compact;
- The sales tax exemption for products purchased for resale;
- The individual income tax deduction for Build America Bonds; and
- The sales and use taxation of streamed media.

**Action:** *Directed staff to open a bill file to address each of the issues raised by the commission.*

### Review of Income Tax Credits

Received a presentation from committee staff on [income tax credits that the committee is required to](#)





[review](#) during the 2017 interim and a [document](#) that categorizes and provides additional details regarding individual and corporate income tax credits. Reviewed 17 income tax credits and received comments from interested parties on some of the credits.

#### **Taxation of Military Disability Income**

Received information from staff that military disability income that is not taxed at the federal level is also not

taxed by Utah and that most military disability income is exempt from taxation by the federal government.

#### **Technical Cleanup of Local Option Sales and Use Tax Distribution Formula**

***Action:** Voted to open a committee bill file and work with the Utah State Tax Commission on legislation that would clean up obsolete language in [Section 59-12-205](#).*

#### **Vision and Goals for Tax Reform**

Received presentations from legislators regarding how to reform the state's tax system so that:

- Education will be adequately funded in the future;
- Businesses will thrive;
- Quality of life will be maintained;
- Vulnerable populations will be





adequately cared for;

- Good jobs will be available; and
  - Public lands will still be accessible.
- The committee discussed ways in which tax bases may be broadened, tax rates may be lowered, and pressure on the General Fund may be mitigated. Policy options discussed include:
- Adopting a more broadly available single sales factor for purposes of business income taxes;
  - Relying more heavily on user fees to fund transportation projects;
  - Lowering income tax rates;
  - Broadening the sales and use tax

base; and

- Reviewing the statewide basic levy for purposes of increasing funding for public education.

**Chairs:** Rep. Steve Eliason / Sen. Howard A. Stephenson

**Staff:** Bryant R. Howe (Deputy Director) / Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Andrea Valenti Arthur (Attorney) / Brent M. Gage (Legislative Assistant)

### Senate Judicial Confirmation Committee

January 27, 2017

#### Confirmation of Mr. Kent Holmberg

Recommended to the Senate the

confirmation of Mr. Kent Holmberg as a judge to the Third District Court. The Senate met in extraordinary session on February 15, 2017 and confirmed the appointment of Mr. Holmberg.

#### Confirmation of Mr. Kirk Morgan

Recommended to the Senate the confirmation of Mr. Kirk Morgan as a judge to the First District Juvenile Court.

The Senate met in extraordinary session on March 8, 2017 and confirmed the appointment of Mr. Morgan.

**Chair:** Sen. Todd Weiler

**Staff:** Jerry D. Howe (Managing Policy Analyst) / Eric N. Weeks (Deputy General Counsel) / Lucy W. Daynes (Legislative Assistant)



May 2017

## Transportation Governance and Funding Task Force

May 16, 2017

### Historical Review of Transportation Governance and Funding in Utah

Received presentations from various transportation-related state and local agencies offering a historical perspective of how transportation systems in Utah have evolved to where they are today. Presenting agencies included:

- The [Utah Department of Transportation](#);
- The [Utah Transit Authority](#);
- [Salt Lake City Department of Airports](#); and
- [Wasatch Front Regional Council](#), and [Mountainland Association of Governments](#).

### Task Force Purpose

Received a [presentation](#) from a legislator outlining the purpose and goals of the task force.

Chairs: Rep. Mike Schultz / Sen. Wayne A. Harper  
Staff: Alex R. Janak (Policy Analyst) / Kurt P. Gasser (Attorney) / Lori Rammell (Legislative Assistant)

## Transportation

### Driving Under the Influence (DUI)

Received a [presentation](#) from committee staff comparing alcohol-related driving offenses in Utah, Colorado, and New York.

The committee received reports from, and participated in a “Question and Answer” panel discussion with, members of the Utah Substance Use and Mental Health Advisory Council DUI Committee.

- [DUI Report to the Legislature](#)
- [DUI Sentencing Matrix](#)

### Utah: The Transportation and Economic Development Crossroads of the West

Received a [presentation](#) from

representatives of the Utah Department of Transportation outlining how Utah is uniquely positioned as a hub of economic and transportation. The state’s confluence of transportation infrastructure, such as highways, rail lines, and an international airport, create a valuable opportunity to not only grow Utah’s economy, but also serve as a regional and national facilitator for economic growth.

Chairs: Rep. Mike Schultz / Sen. David G. Buxton  
Staff: Alex R. Janak (Policy Analyst) / Kurt P. Gasser (Attorney) / Lori Rammell (Legislative Assistant)

## Utah International Relations and Trade Commission

May 15, 2017

### Cuba

Heard a report from a legislator regarding a recent fact finding trip to Cuba sponsored by the Salt Lake Chamber and World Trade Center Utah. The report highlighted the potential for short-term relationship building with Cuba as federal restrictions are loosened.

### Exports

Received a [presentation](#) and a [handout](#) from World Trade Center Utah on trends in Utah’s export sector over the past several years.

### Foreign Trade Zones

Received a [presentation](#) from commission staff regarding the foreign trade zone program and national trends related to foreign trade zones.

Received a [presentation](#) from Salt Lake City regarding the Salt Lake City foreign trade zone. The presentation highlighted current zone activities and potential for future growth and expansion.

### Inland Port

Discussed the possibility for members of the commission to visit two inland ports in South Carolina and Georgia to learn how the ports operate, observe best practices, and identify challenges inland ports face to better understand the potential for an inland port in Utah.

**Action:** *Voted to have staff draft a letter from the commission to Legislative Management Committee requesting funding for members of the commission to accompany the Inland Port Exploratory Committee on a fact-finding trip to established inland ports in the U.S.*

### International Relations Services Contract

Discussed the Legislature’s selection of World Trade Center Utah to provide international relations services in response to a request for proposals. Commission members shared their expectations of an improved process for legislative engagement in hosting foreign delegations and other international relations and trade activities.

Chairs: Rep. Eric K. Hutchings / Sen. Curtis S. Bramble  
Staff: Ryan M. Hunter (Policy Analyst) / Robert H. Rees (Attorney) / Thomas E. Young (Senior Economist/Forecaster) / Andrea Wilko (Chief Economist) / Debra Hale (Legislative Assistant)