

# Breakdown of Boards and Commissions

Presenting at the November Government Operations Interim Committee Meeting | November 2017



The Legislative Management Committee asked the Government Operations Interim Committee to review each entity in which legislative participation is required by statute in order to determine the entity's effectiveness and recommend to the Legislative Management Committee whether the entity should be repealed or modified. This document lists the 4 boards or commissions that the committee will study in its November interim meeting.

Title	Overview		Function/Purpose	Membership						Statute		
	Number of Meetings Jan 2015 - Dec 2016*	Years in Service		Staffing Agency	Exclusive Legislative Members	Majority Legislative Members with Non-Legislative Members	Total Members	Number of Legislators	Number of Non-legislators	Statute	Repeal Date	Creation Date and Modification History
<b>Online Court Assistance Program Policy Board</b>	0	23	Ensures that forms and informational material are in conformity with the rules of procedure and evidence in connection with the Online Court Assistance Program. The board also advises the Administrative Office of the Courts regarding the administration of the program.	Admin. Office of the Courts	No	No	13	H: 2 S: 2	9	78A-2-502	--	Enacted by 1994 Laws of Utah Ch. 283 (H.B. 79) as the Utah Quick Court Policy Board. Legislative membership unchanged.
<b>Utah Seismic Safety Commission</b>	4	13	Administers a coordinated scenic byway program within the state that preserves the scenic, natural, historic, cultural, archaeological, and recreational qualities of scenic byways. The committee also oversees the designation of highways as scenic byways.	GOED and UDOT	No	No	15	H: 1 S: 1	13	72-4-302	--	Enacted by 2004 Laws of Utah Ch. 172 (H.B. 18) without any legislative membership. Legislative members added to current levels by 2009 Laws of Utah Ch. 393 (H.B. 272).
<b>Career and Technical Education Board</b>	0	2	Conducts a comprehensive study of career and technical education in Utah and makes recommendations to the Legislature based on the contents of the study.	Not Specified	No	No	13	H: 1 S: 1	11	63N-12-402	7/1/2018	Enacted by 2015 Laws of Utah Ch. 273 (H.B. 337). Legislative membership unchanged.
<b>Streamlined Sales and Use Tax Agreement Governing Board</b>	0	9	Administers the Streamlined Sales and Use Tax Agreement.	Not Specified	No	No	4	H: 1 S: 1	2	59-12-102.3	--	Enacted by 2008 Laws of Utah Ch. 384 (H.B. 206). Legislative membership unchanged

\*As reported on the Utah Public Notice Website



# Online Court Assistance Program Policy Board

Survey completed by: Kim Allard, Staff

## Recommendations

### Should your board or commission be repealed:

No. The OCAP policy board provides advice to staff developing and maintaining its online interviews. The OCAP policy board's legislative authority and its autonomy from court boards and committees has been vital to the ongoing success of its online offerings.

### Need for legislative members:

Legislative participation is not vital to the success of the policy board, but it is helpful. The work of the policy board to develop content and conforming court-approved forms is a detailed undertaking requiring legal training and experience working with certain types of litigation. This is work that is often not familiar to legislators. Legislative representatives are very helpful, when new subject matter is being identified. Legislative input to the policy board is viewed favorably by judges and court staff. Advice from legislators has been sought repeatedly throughout the existence of the policy board.

### Changes needed for proper function:

We have had a difficult time getting legislators appointed to the board. The current makeup requires 4 legislators. This could be reduced to two if they could be filled.

### Additional recommended legislative action: No

## Creation and Purpose

### Public purpose:

78A-2-502. Creation of policy board -- Membership -- Terms -- Chair -- Quorum -- Expenses. (1) There is created a 13 member policy board to be known as the "Online Court Assistance Program Policy Board," which shall: (a) identify the subject matter included in the program; (b) develop information and instructions on how to use the program; (c) conform court-approved forms for use in the program; and (d) advise the Administrative Office of the Courts regarding the administration of the program.

### Board or commission required to comply with federal/national requirements: No

### Multi-state organization: No

## Function and Effectiveness

### Fulfill its public purpose: Yes

### How it fulfills its public purpose:

The OCAP Policy Board meets 3-4 times annually. It reviews usage of existing online applications, feedback received from the public and ongoing development work. In the spring meeting, legislation that affects OCAP applications is reviewed and changes proposed are approved by the board. When a new application is in development, policy board members provide direction. When a new application is close to being released, policy board members provide feedback.

### Recommendations that have resulted in a benefit or cost savings to the state or constituency:

The policy board guides development and maintenance of online legal programs that help the public handle legal matters with limited legal assistance. It's impossible to say how much cost-savings is realized by the public. A \$20 user fee is assessed for any OCAP filing requiring a filing fee. The work of the board and staff makes legal assistance available to those who otherwise could not afford it. "Online Court Assistance Program Usage By Year <http://www.utcourts.gov/ocap> " Program Name FY16 FY17 Conservatorship 3 1 Custody and Support 298 289 Divorce/Annulment 5066 5095 Eviction 841 765 Guardianship Adult Child 20 31 Guardianship Minor 10 384 Guardianship Adult 456 0 Paternity 166 191

Small Claim 48 64 Temporary Separation 54 63 UCCJEA Child Cus Jur 13 12 UIFSA 2 3 Filing Total 6977  
6898 Protective Order Adult 1643 3153 Protective Order Child 320 702 Civil Stalking 468 1002  
Protective Order Dating 65 125 Employer Garnishment 5937 8774 Non-Filing Total 8433 13756 Grand  
Total 15410 20654

**Action that has had a direct impact on legislation:**

None. Legislative impact is not the role of the policy board.

**Staffing and Logistics**

**Regarding your board or commission's publicly noticed meetings:**

- **How many held over the 2015 and 2016 calendar years:** 0
- **How many out of state meetings:** 0

**Total cost to operate for one year:**

**Currently:** \$700

**If fully functioning (if different):** \$1000

# Utah Seismic Safety Commission

Survey completed by: Bob Carey, Staff

## Recommendations

### Should your board or commission be repealed:

No. The Commission provides a forum toward a greater awareness, better understanding, and more effective reduction of our earthquake risk.

### Need for legislative members:

The Commission has two legislative positions in statue. The legislators have been beneficial to the Commission in navigating the legislative process. Their participation has varied over the years.

### Changes needed for proper function: No

### Additional recommended legislative action: No

## Creation and Purpose

### Public purpose:

To review earthquake-related hazards and risks to the state of Utah and its inhabitants: Prepare recommendations to identify and mitigate these hazards and risks: Prioritize recommendations and present them to state and local government or other appropriate entities for adoption as policy or loss reduction strategies: Act as a source of information for individuals and groups concerned with earthquake safety and as a promoter of earthquake loss reduction measures: Prepared a strategic seismic planning document to be presented to the State and Local Interim Committee before the 1995 annual general session of the Legislature: Periodically update the planning document and monitor progress toward achieving the goal of loss reduction.

### Board or commission required to comply with federal/national requirements: No

### Multi-state organization: No

## Function and Effectiveness

### Fulfill its public purpose: Yes

### How it fulfills its public purpose:

The USSC commissioners represent a wide range of interests. The USSC has supported activities ranging from school education, to hazard identification mapping, building code development, economic loss analysis, school building vulnerability, and public outreach.

### Recommendations that have resulted in a benefit or cost savings to the state or constituency:

The implementation of the Building Occupancy Resumption Program (BORP). A program designed to have building owners working with the local jurisdictions to rapidly evaluation their building post-earthquake for reoccupation. The benefit of this is businesses located in these building can recover more quickly which benefits the local economy. Salt Lake City and Murray have adopted this program. The "Fix the Brick" is a program with Salt Lake City to retrofit unreinforced masonry (URM) homes. The Commission has studied and made recommendations about URM structures. Analysis shows that this building type is the leading cause of casualties from earthquakes. The benefits of retrofitting URM structures is obvious in reduction of injuries and fatalities.

### Action that has had a direct impact on legislation:

Commission has been active in legislation dealing with building code development. The Commission also has been supportive the emergency management measures like the Restrictive Disaster Recovery Fund.

## **Staffing and Logistics**

**Regarding your board or commission's publicly noticed meetings:**

- **How many held over the 2015 and 2016 calendar years: 8**
- **How many out of state meetings: 1**

**Total cost to operate for one year:**

**Currently: \$10,000**

**If fully functioning (if different): \$10,000**

# Career and Technical Education Board

Survey completed by: Kimberlee Carlisle, Staff to the Board from GOED

## Recommendations

### Should your board or commission be repealed:

The board is scheduled to sunset this next year after recommendation have been made. No repealing is necessary.

### Need for legislative members:

Yes, it is vital to have their input and support on the states initiatives.

### Changes needed for proper function: No.

### Additional recommended legislative action: No

## Creation and Purpose

### Public purpose:

Provide recommendations to the legislature from the CTE board on Work-based Learning.

### Board or commission required to comply with federal/national requirements: No

### Multi-state organization: No

## Function and Effectiveness

### Fulfill its public purpose: Yes

### How it fulfills its public purpose:

We are convening to discuss recommendation and will present those recommendation this fall to the legislature.

### Recommendations that have resulted in a benefit or cost savings to the state or constituency:

This bill was originally passed in 2016 to have DWS conduct a study on CTE in Utah. In 2017 the bill (SB 263) was revised to look at the study and provide recommendations on how to incorporate work-based learning in CTE. The bill was expected to sunset this year after recommendations have been made.

### Action that has had a direct impact on legislation:

A CTE report was completed through DWS during the past year.

## Staffing and Logistics

### Regarding your board or commission's publicly noticed meetings:

- How many held over the 2015 and 2016 calendar years: 0
- How many out of state meetings: 0

### Total cost to operate for one year:

Currently: \$9000

If fully functioning (if different): \$9000





# Streamlined Sales and Use Tax Agreement Governing Board

Survey completed by: Commissioner Rebecca Rockwell, Governing Board Delegate

## Recommendations

### Should your board or commission be repealed:

As an interstate agreement, the SST Governing Board cannot be repealed by any individual state legislature. However, a state is at liberty to withdraw from the agreement and cease participation on the board. b. Withdrawal from the SST agreement is not recommended as it would risk the loss of the benefits outlined in question 10 above.

### Need for legislative members:

Legislative participation is essential to the success of SST because the SST agreement does not have the force of law in Utah without the legislature incorporating SST model language into the state tax code.

### Changes needed for proper function: No

### Additional recommended legislative action: No

## Creation and Purpose

### Public purpose:

The Streamlined Sales and Use Tax Agreement was created by the National Governor's Association (NGA) and the National Conference of State Legislatures (NCSL) in 1999. The official purpose of the Agreement is to provide a road map for states who want to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance. b. The Agreement focuses on improving sales and use tax administration systems for all sellers and for all types of commerce through all of the following: state level administration of sales and use tax collections; uniformity in the state and local tax bases; uniformity of major tax base definitions; centralized electronic registration system for all member states; simplification of state and local tax rates; uniform sourcing rules for all taxable transactions; simplified administration of exemptions; simplified tax returns; simplification of tax remittances, and enhanced protection of consumer privacy.

### Board or commission required to comply with federal/national requirements: Yes

### Multi-state organization: Yes

## Function and Effectiveness

### Fulfill its public purpose: Yes

### How it fulfills its public purpose:

The Streamlined Sales Tax Governing Board regularly interprets and amends the Streamlined Sales and Use Tax Agreement (SSUTA) to reflect the evolving business environment and state tax administrative needs. It certifies interstate tax technology systems, service providers, and implements administrative mechanisms such as multi-state audit cooperation. The board also reviews member state laws and administration to ensure substantial compliance with the agreement.

### Recommendations that have resulted in a benefit or cost savings to the state or constituency:

The State – describe the resulting benefits or cost savings. i. SST has been working with federal legislators to develop national solutions to the problem of remote sales. Utah's participation on this board allows Utah to remain a participant in that national conversation. ii. The State of Utah currently benefits from approximately \$10 million of annual tax revenue derived from SST taxpayers who do not otherwise have nexus or a reporting requirement with the State. This amount has been growing at about 10% annually. If Utah ceases its participation in SST this continuing revenue could be at risk. b. Your constituency – describe the resulting benefits or cost savings. i. The SST board regularly reviews and updates the agreement to remain responsive to changes in the business environment. This

provides taxpayers consistent and relevant direction regarding their tax collection and reporting obligations. Additionally, taxpayers participating in the SST agreement are protected by a "safe-harbor" if they reasonably rely on a member state's compliance with the SST agreement. This "safe-harbor" was recently enhanced to provide taxpayers with greater assurances of protection.

**Action that has had a direct impact on legislation:**

The Tax Commission annually monitors changes to the SST agreement. Utah is currently in compliance and no legislative changes have been necessary during the last two legislative sessions.

**Staffing and Logistics**

**Regarding your board or commission's publicly noticed meetings:**

- **How many held over the 2015 and 2016 calendar years:** 15
- **How many out of state meetings:** 15

**Total cost to operate for one year:**

**Currently:** \$31,000

**If fully functioning (if different):** \$31,000