

INTERIM HIGHLIGHTS

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Legislative Interim Meetings

Meetings were held June 16, 2021, or as noted

Business and Labor

Board of Bank Advisors

Action: Voted to recommend draft legislation, "[Board of Bank Advisors Sunset Extension](#)," for the 2022 General Session. The bill would extend the sunset date for the Board of Bank Advisors by an additional 10 years, from July 1, 2022, to July 1, 2032. The Board of Bank Advisors operates within the scope of the Financial Institutions Act related to banks.

Consumer Protection Audit

Reviewed [A Performance Audit of the Division of Consumer Protection](#). The audit indicates that the Business Opportunity Disclosure Act (BODA) disclosure requirements do not appear to be working as intended. Only eight companies are registered under BODA, five of which are in Utah. From 2003 to the present, there were dozens of BODA-related enforcement actions and settlements, many of which demonstrate consumer harm that may have been mitigated or avoided if the consumers had received BODA disclosure information.

Received a [presentation](#) from the Office of the Legislative Auditor General and comment from the Department of Commerce.

Action: Voted to open a committee bill file to address the auditor's audit recommendations to the Legislature, which include modifying or updating BODA.

Insurance Cleanup Bill

Action: Voted to open a committee bill file to modify insurance-related statutory provisions.

Occupational Licensing Proposal

Considered a [proposal](#) that all lawful occupational licenses that are regulated by executive branch agencies be reviewed every 10 years by a Department of Commerce team that could be funded by existing fees collected in the Commerce Service Fund. Under the proposal, the Legislature would continue to determine licensure laws while being informed by expert licensing analysis. The proposal included:

- annual legislative prioritization of licenses that should be reviewed;
- expert licensing analysis and impartial reviews from the executive branch, using legislative and executive branch based criteria that take into account workforce and market considerations; and
- written recommendations, with stakeholder input.

Received a [presentation](#) from the Governor and the Department of Commerce. The committee opened a bill file at its May interim meeting related to this topic.



Powersport Vehicle Franchise Advisory Board

Conducted a sunset review of the [Powersport Vehicle Franchise Advisory Board](#), which operates under the purview of the Department of Commerce. Examples of powersport vehicles include personal watercraft, ATVs, snowmobiles, and dirt bikes. The board adjudicates disputes between powersport manufacturers and their dealers. The Powersport Vehicle Franchise Advisory Board has met three times since its creation in 2002. Though the board receives complaints from parties, the board meets sporadically because parties resolve disputes before a board meeting is warranted. Heard remarks from the Deputy Director of the Department of Commerce, who is the designated chair, about the board's functions and capacity to serve the public interest.

Action: Voted to open a committee bill file to extend the sunset date for the Powersport Vehicle Franchise Advisory Board by 10 years.

Chairs: Rep. Joel Ferry / Sen. Curtis S. Bramble
Staff: Adam J. Sweet (Policy Analyst) / Amy L. West (Attorney) / Patrick Grecu (Attorney) / Leila Reynolds (Administrative Assistant)

Economic Development and Workforce Services

A Follow-Up Audit of the Safety and Security Within Local Homeless Resource Centers

Received a [presentation](#) from the Office of the Legislative Auditor General on "[A Follow-Up Audit of the Safety and Security Within Local Homeless Resource Centers](#)."

Alignment of Economic Development Efforts

Received a [presentation](#) from the Governor's Office of Economic Development on the newly created Utah Economic Opportunity Commission.

Local Land Use Planning

Received a [presentation](#) from the League of Cities and Towns on local land use planning.

Sunset Reviews

Received a [presentation](#) from committee staff on the sunset review process.

Received a presentation from the Department of Workforce Services on provisions that are scheduled to sunset, including:

- provisions describing information that may be disclosed to the Federal Wage and Hour Division;
- provisions creating the Employment Advisory Council; and
- provisions related to the Intergenerational Poverty Plan Pilot Program.

Action: Voted to open a committee bill file to remove the sunset date to make the Employment Advisory Council permanent.

Chairs: Rep. Stephen G. Handy / Sen. Ronald M. Winterton
Staff: Karin M. Rueff (Policy Analyst) / Gus Harb (Attorney) / Leila Reynolds (Administrative Assistant)



Education

A Performance Audit of Public Education's Governance Structure

Received a [presentation](#) from the Office of the Legislative Auditor General about a recent [audit](#) of the state's public education governance structure.

State Board of Education Administrative Rule on Educational Equity

Received a [presentation](#) from members of the State Board of Education on Administrative Rule [R277-328](#), which addresses how educational equity is included in educator professional learning and classroom instruction.

State board members also updated the committee on their response to [S.R. 901](#) and [H.R. 901](#), resolutions on critical race theory in public education passed by the Senate and House of Representatives during the 2021 First Extraordinary Session.

Sunset Review: Standards Review Committees

Received a [presentation](#) from committee staff about the sunset review process.

Also received a [presentation](#) from State Board of Education staff about the role of standards review committees - including the role of parent committee members - and the pending sunset date for the relevant statutes.

Action: Voted to approve as a committee bill draft legislation, "[School Standards Review Committee Sunset Extension](#)," which would extend the sunset date of the statutes creating standards review committees.

Chairs: Rep. V. Lowry Snow / Sen. John D. Johnson
Staff: Allyson R. Hicks (Policy Analyst) / Micah Ann Wixom (Policy Analyst) / Michael E. Curtis (Attorney) / Amy Shewan (Attorney) / Naomi Garrow (Administrative Assistant)

Government Operations

Executive Amendments

Discussed committee bill files that were opened by the chairs to address technical and policy amendments to the Election Code.

Received a [presentation](#) from the Office of the Lieutenant Governor regarding identified statutory provisions that the committee may want to consider.

Executive Branch Pay Equity Study

Received a joint [presentation](#) from the Governor's Office of Planning and Budget and the Department of Human Resource Management regarding the major findings of the [Executive Branch Pay Equity Study](#) and [proposed action items](#).

Election Methodologies

Received a [presentation](#) from the Utah Center for Electoral Reform regarding ranked choice voting and approval voting.

Open and Public Meetings Act

Received a [presentation](#) from committee staff regarding the electronic meeting requirements of the Open and Public Meetings Act.

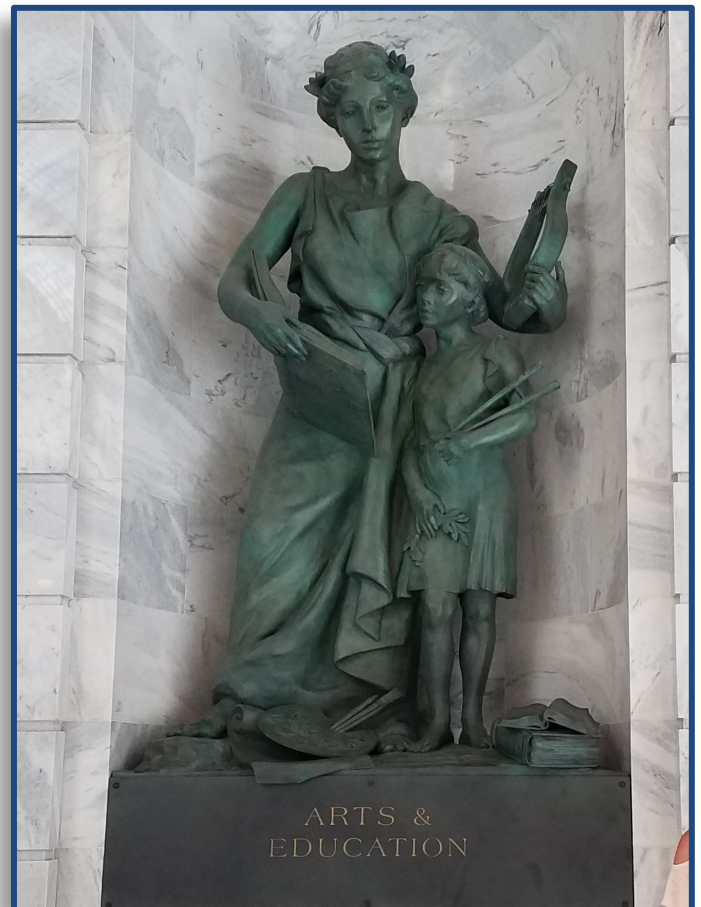
Action: Voted to open a committee bill file to address issues related to remote meetings within the Open and Public Meetings Act.

Precincts

Received a [presentation](#) from the Utah Association of Counties regarding the history and purpose of voting precincts and recommendations for revisions to the statutory requirements.

Received comments from the Utah Republican Party and the Utah Democratic Party regarding their parties' perspectives on the purpose and use of precincts, including the current number and size of precincts.

Chairs: Rep. A. Cory Maloy / Sen. Daniel W. Thatcher
Staff: Lisa Sorensen (Policy Analyst) / Alan Houston (Attorney) / Thomas R. Vaughn (Attorney) / Tracey Fredman (Administrative Assistant)



Health and Human Services

Medical Care for Transgender Minors

The committee [discussed](#) issues related to [proposals](#) in Utah and other states that would prohibit certain types of medical care for transgender minors. The committee received input from a [transgender advocacy organization](#), a [clinician](#), and a [2021 bill sponsor](#).

Participation by Transgender Youth in School

Sports

The committee [discussed](#) issues related to [proposals](#) in Utah and other states that would regulate participation by transgender minors in school sports. The committee received input from a [transgender advocacy organization](#), the [Utah High School Activities Association](#), and a [2021 bill sponsor](#).

Chairs: Rep. Merrill F. Nelson / Sen. Michael S. Kennedy
Staff: Mark D. Andrews (Policy Analyst) / Seth Anderson (Policy Analyst) / Christopher Williams (Attorney) / Daniel M. Cheung (Attorney) / Ericka A. Evans (Attorney) / Amy Hawkes (Administrative Assistant)



Judiciary

Pretrial Release Study and Discussion

Heard position statements from members of the pretrial working group, including defense attorneys, [prosecutors](#), a victims advocate, the Utah Association of Counties, and [bail bondsmen](#). Also heard a short summary of the working group's progress from a representative of the pretrial release working group.

Utah Probation and Parole Absconders

Heard a [presentation](#) from a federal marshal with the U.S. Department of Justice, a [presentation](#) from the Adult Probation and Parole, and comments from the Board of Pardons and Parole, the Commission on Criminal and Juvenile Justice, and the Administrative Office of the Courts regarding recent news on parole absconders in Utah.

Chairs: Rep. Karianne Lisonbee / Sen. Todd D. Weiler
Staff: Kristina King (Policy Analyst) / Christopher Williams (Attorney) / Jacqueline Carlton (Attorney) / Amy Hawkes (Administrative Assistant)

Law Enforcement and Criminal Justice

Alcohol Abuse Tracking Committee Update

Received a [presentation](#) from the Alcohol Abuse Tracking Committee about alcohol-related arrests and court charges for driving under the influence and underage drinking.

DNA and Forensic Information

Discussed matters related to the collection, maintenance, and use of DNA and forensic information by law enforcement.

Received a [presentation](#) from the Office of the State Auditor about statutory inconsistencies in Combined DNA Index System (CODIS) profile generation for certain offenders.

Discussed draft legislation, "[DNA Specimen Analysis Amendments](#)," which would amend provisions related to DNA specimen analysis and destruction.

DUI Sentencing

Received a [presentation](#) from the Salt Lake County District Attorney's Office about discrepancies between driving under the influence and driving with any measurable controlled substance violations.

Mental Health Treatment for Law Enforcement

Discussed barriers that exist for law enforcement officers to receive proper mental health treatment.

Chairs: Rep. Ryan D. Wilcox / Sen. Keith Grover
Staff: John Feinauer (Policy Analyst) / Esther D. Chelsea-McCarty (Attorney) / Jackie Rogers (Attorney) / Tracey Fredman (Administrative Assistant)

Murdered and Missing Indigenous Women and Girls Task Force

June 14, 2021

Discussion of the Task Force's Goals for 2021 and Beyond

The task force members discussed future meetings and general goals for the upcoming year, which include posting a permanent hotline number and email for victims on the task force's website and the task force members' plan to travel around the state to hear victims' stories during future meetings.

Updates and Information on Missing and Murdered Indigenous Women and Girls

Heard a presentation on [demographic information](#) from a former task force member and a presentation about a recent [Minnesota report](#) on missing and murdered indigenous women and girls from a Minnesota state senator.

Chairs: Rep. Angela Romero / Sen. David P. Hinkins
Staff: Kristina King (Policy Analyst) / Amy L. West (Attorney) / Leila Reynolds (Administrative Assistant)

Natural Resources, Agriculture, and Environment

Land Conservation Efforts

Heard from a legislator regarding the need to study conservation efforts in the state. Discussed multiple entities that work on conservation efforts and whether the state could study how to make conservation efforts more efficient and effective.

***Action:** Voted to open a committee bill file to study coordination of conservation efforts.*

State Monuments and Parks

Received a presentation from the Division of Parks and Recreation regarding the processes to create state monuments and state parks.

Discussed the increased use of state monuments and parks and related challenges facing the division.

***Action:** Voted to open a committee bill file to address the creation of state monuments and to request that Representative Eliason work with the division on the committee bill and report back to the committee in the fall.*

Water Supply and Drought Conditions

Received a [presentation](#) from the Division of Water Resources regarding the drought conditions and the Governor's emergency declaration due to drought.

Received a presentation from the [National Weather Service](#) and the [Natural Resources Conservation Service](#) regarding the water conditions and supply in the state.

Discussed historical data regarding precipitation, snow levels, reservoir levels, soil moisture, and temperatures in the Southwestern states.

Received presentations from the Weber Basin Water Conservancy District, the Central Utah Water Conservancy District, the [Jordan Valley Water Conservancy District](#), and the Washington County Water Conservancy District.

Discussed current water conservation efforts and ways to encourage water conservation. Also discussed the ability of the water districts to provide enough water.

Wildfire Mitigation and Management

Received a presentation from the interim State Forester regarding wildfire risk and mitigation efforts.

Discussed the current wildfire season statistics and conditions. Also discussed the successes of efforts to partner with federal agencies to address wildfire mitigation and the need to fund mitigation efforts.

Chairs: Rep. Keven J. Stratton / Sen. Scott D. Sandall
Staff: Nathan W. Brady (Policy Analyst) / Patricia Owen (Attorney) / Alan Houston (Attorney) / Lorna Wells (Committee Secretary)

Point of the Mountain Development Commission

May 27, 2021

Update from the Point of the Mountain State Land Authority

Received a [presentation](#) from the Point of the Mountain State Land Authority on transportation planning at the prison site.

Regional Issues and Planning Process

Received a [presentation](#) from the Wasatch Front Regional Council and Mountainland Association of Governments on regional issues and regional planning.

Project Programming

Received a [presentation](#) from the Department of Transportation on current, recent, and upcoming projects in the Point of the Mountain area.

Transit at the Point of the Mountain

Received a [presentation](#) from the Utah Transit Authority on current, recent, and upcoming projects in the Point of the Mountain area.

Bus Rapid Transit

Received a presentation from Draper City regarding bus rapid transit lines.

Chairs: Rep. V. Lowry Snow / Sen. Daniel Hemmert
Staff: Sarah Flanigan (Policy Analyst) / Robert H. Rees (Attorney) / Cherish Cosman (Administrative Assistant)



Political Subdivisions

Creation of Utah Lake Authority

Received a [presentation](#) from the Utah Lake Commission on the commission's projects and goals.

Received a presentation from a legislator regarding [legislation](#) proposed during the 2021 General Session to create a Utah Lake Authority.

Housing Affordability

Received presentations from the mayor of South Jordan and the city manager of Park City on inclusionary zoning programs in their cities.

Received a presentation from the Utah Home Builders Association on the impacts of inclusionary zoning on developers.

Received a presentation from the Utah League of Cities and Towns on inclusionary zoning as a housing affordability tool for cities.

Local Government Use of COVID-related Relief Funds

Received a presentation on 2022 General Session draft legislation, "[Emergency Response Amendments](#)," regarding emergency response teams and local governments. Discussed the draft legislation and funding for emergency response teams.

Action: Voted to approve as a committee bill, "Emergency Response Amendments," which would modify provisions related to the State Disaster Recovery Restricted Account and provide that the Division of Emergency Management may enter into an agreement with an entity such as a local government to operate an emergency response team.

Separation of Powers in County Governments

Received a presentation and [written statement](#) from the Uintah County Commissioners on the ability of a county commission to appoint a budget officer.

Sunset Review of the Utah Electronic Recording Commission

Received a [presentation](#) from the Utah Association of County Recorders on the current need for the Utah Electronic Recording Commission.

Action: Voted to allow the Utah Electronic Recording Commission to sunset.

Chairs: Rep. James A. Dunnigan / Sen. Michael K. McKell
Staff: Sarah Flanigan (Policy Analyst) / Peter Asplund (Attorney) / Finn Andrew Rose (Administrative Assistant)

Public Utilities, Energy, and Technology

Energy Security and Resilience in Utah

Received presentations discussing Utah's energy security, how to prevent large scale blackouts as witnessed in California and Texas, what consumers need and want, and how to incorporate renewable energies in a reliable way from the following organizations:

- [Governor's Office of Energy Development](#);
- [Public Service Commission](#);
- Division of Public Utilities;
- [Dixie Power](#);
- [Utah Rural Electric Cooperative](#);
- [Utah Associated Municipal Power](#);
- Office of Consumer Services;
- [Rocky Mountain Power](#); and
- [Utah Clean Energy](#).

Utah Rural Expansion Program: Natural Gas Utility Line Updates

Received a [presentation](#) from Dominion Energy with updates regarding natural gas infrastructure projects in rural Utah communities.

Chairs: Rep. Carl R. Albrecht / Sen. David P. Hinkins
Staff: Samantha D. Brucker (Policy Analyst) / Rikka Strong (Attorney) / Lorna Wells (Committee Secretary)



Retirement and Independent Entities

Utah Energy Infrastructure Authority

Received a [presentation](#) from the Governor's Office of Energy Development on the Utah Energy Infrastructure Authority Board's structure, role, and responsibilities and on the High Cost Infrastructure Tax Credit program.

Utah State Railroad Museum Authority

Received a presentation from the Utah State Railroad Museum Authority on the organization's mission, operations, activities, and relationship with the state.

Overview of RIE Committee Structure

Received a [presentation](#) from committee staff on recent changes to the committees covering retirement and independent entity issues.

Report on URS Funded Status

Received a [report](#) from Utah Retirement Systems (URS) on the funded status of URS plans and on the value of benefits paid to retirees by county.

Study Items and Committee Bills

Received a [presentation](#) from committee staff on the committee's plan for addressing study items and reports during the interim.

***Action:** Voted to adopt the study item list.*

Voted to authorize the committee chairs to independently open committee bill files.

Chairs: Rep. Walt Brooks / Sen. Wayne A. Harper
Staff: Andy Yewdell (Policy Analyst) / Alan Houston (Attorney) / Andrea Valenti Arthur (Attorney) / Leila Reynolds (Administrative Assistant)

Revenue and Taxation

Electing Small Business Trust (ESBT) S-corp Subtraction from Income

Heard from the State Tax Commission regarding the issue of whether a negative addition to income should be authorized for S-corp losses that are realized by a Utah estate or trust. The committee determined that the Tax Commission should continue disallowing such negative additions.

Overview of Federal American Rescue Plan Act (ARPA) Provisions

Received a [presentation](#) from committee staff on Treasury Department guidance related to ARPA provisions prohibiting the use of ARPA funds to offset a reduction in net tax revenue. Heard an update from the Attorney General's Office on the status of the ongoing lawsuit related to those provisions.

Received an [overview](#) from committee staff of the Paycheck Protection Program (PPP). The committee discussed the state's tax treatment of PPP loan proceeds and heard comments from the Utah Association of CPAs and the State Tax Commission.

Property Tax Deferrals

Received a [presentation](#) from a legislator on property tax deferrals.

***Action:** Voted to open a committee bill file to make modifications to the property tax deferral process.*

Telecommunications Taxation

Notified the committee that the chairs opened a committee bill file to modify the assessment of telecommunications assets for the purpose of property tax.

Utah Rural Jobs Act Audit Review

Received a [presentation](#) from the Office of the Legislative Auditor General on the findings and recommendations of "[A Limited Review of the Utah Rural Jobs Act.](#)"

Heard a response from the Governor's Office of Economic Development.

***Action:** Voted to open a committee bill file to add a sunset to the Utah Rural Jobs Act and to authorize the data sharing necessary to evaluate the impact of the program.*

Utility Adjustment Calculation for Circuit Breaker Rent Relief

Heard from the State Tax Commission regarding the treatment of utilities as a portion of rent when determining the amount of circuit breaker tax credit a qualified taxpayer may claim under Section [59-2-1209](#).

***Action:** Voted to open a committee bill file that would direct the Tax Commission to update the formula they use for determining what portion of a claimant's rent should be attributed to utility payments.*

Chairs: Rep. Robert M. Spendlove / Sen. Daniel McCay
Staff: Alex R. Janak (Policy Analyst) / Julie Humberstone (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Christine R. Gilbert (Attorney) / Naomi Garrow (Administrative Assistant)



Transportation

Committee Bills

***Action:** Voted to open a committee bill file on Utah's special license plate programs.*

Electric and Alternative Fuel Vehicles

Received a [presentation](#) from committee staff on the current and projected use of alternative fuel vehicles.

Received a [presentation](#) from the Utah Transit Authority on:

- the composition of its fleet by fuel type;
- its fleet composition strategy; and
- future plans.

Received presentations from [Rocky Mountain Power](#) on investments in electric vehicle infrastructure and other electrification initiatives and from the [Utah Department of Transportation](#) (UDOT) on its statewide electric vehicle charging network plan.

Received a [presentation](#) from Plug-in America and the Electrification Coalition on policies to promote electric vehicle infrastructure.

Impact of Federal Funding

Received a [presentation](#) from committee staff on permissible uses of transportation funding from the American Rescue Plan Act of 2021.

Received a [presentation](#) from the Office of the Legislative Fiscal Analyst on whether federal funding could supplant bonding.

Received presentations from UDOT on the use of federal funding for transportation projects and from the [Utah Transit Authority](#) on its receipt and use of federal funding.

Road Usage Charge Implementation Plan

Received a [presentation](#) from UDOT on the history of the Road Usage Charge program (RUC) in Utah and on options for expanding the RUC.

Heard commentary from the Wasatch Front Regional Council and the Mountainland Association of Governments on the expansion options.

Chairs: Rep. Kay J. Christofferson / Sen. Wayne A. Harper
Staff: Andy Yewdell (Policy Analyst) / Kurt P. Gasser (Attorney) / Patrick Grecu (Attorney) / Finn Andrew Rose (Administrative Assistant)

