

**MASTER STUDY RESOLUTION**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Michael G. Waddoups**

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**LONG TITLE**

**General Description:**

This joint resolution of the Legislature gives the Legislative Management Committee items of study they may assign to the appropriate interim committee.

**Highlighted Provisions:**

This resolution:

- ▶ gives the Legislative Management Committee items of study they may assign to the appropriate interim committee during the 2004 legislative interim;
- ▶ directs interim committees assigned these studies to study and make recommendations for legislative action to the 56th Legislature prior to the 2005 Annual General Session; and
- ▶ suggests in approving studies Legislative Management Committee give consideration to time of legislators and the budget and capacity of staff to respond.

**Special Clauses:**

None

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*Be it resolved by the Legislature of the state of Utah:*

WHEREAS, the Legislative Management Committee is created by law as a permanent committee to receive and assign matters for the interim study of the Legislature; and

WHEREAS, the 55th Legislature has determined that certain legislative issues require additional investigation and study:

NOW, THEREFORE, BE IT RESOLVED that the Legislative Management Committee is given the following items of study to assign to the appropriate interim committee with the duty to study and make recommendations for legislative action to the 56th Legislature prior to

the 2005 Annual General Session.

BE IT FURTHER RESOLVED that the Legislative Management Committee, in making study assignments from this list and in approving study requests for individual committees, give consideration to the available time of legislators and the budget and capacity of staff to respond adequately to the number and complexity of the assignments given.

1. Business Names - to study issues related to distinguishable business names requested by constituents.

2. Common Interest Ownership Act - to study issues related to a Common Interest Ownership Act (H.B. 99).

3. Common Interest Ownership and Planned Unit Developments - to study and review forms of common interest ownership, the statutory basis for planned unit developments and condominiums, and proper recording of all land developments.

4. Competition in Employment Agreements - to study preventing restrictions on competition in employment agreements.

5. Crane Operators - to study the certification of crane operators (S.B. 205).

6. Deferred Deposit Lending - to study modifying the Check Cashing Registration Act to address issues related to deferred deposit loans (S.B. 37).

7. DOPL Regulation of Well Drilling - to study whether regulation under the Division of Occupational and Professional Licensing covers incidental work done in association with well drilling (H.B. 232).

8. Insurance Customer Information and Billing Practices - to study the customer information and billing practices of insurance companies and the addition of individuals to policies without authorization.

9. Notice to Registering Businesses - to study providing a notice to a person who registers a business name with the Division of Corporations and Commercial Code of the limited scope of that registration.

10. Private Information in Pawnshop Database - to study safeguarding private and confidential information regarding the pawnshop database (S.B. 192).

11. Property and Casualty Insurance Law - to study procedures for rate filings, the prohibition of premium increases for certain claims or inquiries to property and casualty insurance, uninsured and underinsured motorist coverage, and personal injury protection coverages and benefits (H.B. 250).

12. Radio Frequency ID Business Practices - to study business practices, including feasibility of disabling tags at point of sale, related to radio frequency identification.

13. Smoking in Private Clubs - to study banning smoking in private clubs.

14. Toxic Mold - to study informing renters of the presence of mold that exceeds a minimum standard (H.B. 281).

15. Recall of Elected Officials - to study issues related to the recall of elected officials (H.J.R. 14).

16. Enrollment Growth Program - to study modifying the funding formula for the program that provides money to school districts for school building construction (H.B. 112).

17. No Child Left Behind - to study prohibiting further participation in the No Child Left Behind Act of 2001 (1st Sub. H.B. 43).

18. Nonresident Tuition - to study the state's nonresident tuition policy.

19. Physical Education and Nutritional Programs - to study physical education programs in public schools and the use of proven data-driven exercise and nutritional programs which can be provided by the private sector.

20. School Fees and WPU - to study issues related to the rolling of school fees into the weighted pupil unit (WPU).

21. School Impact Fees - to study issues related to school impact fees for planned communities.

22. Supercomputer and Networking Initiative - to study the establishment of a Utah Supercomputer and Networking Initiative in connection with the Board of Regents.

23. Tuition Assistance for National Guard Members - to study tuition assistance or a waiver for National Guard members seeking higher education.

24. Auditor Access to Information - to study access to information by the Legislative

Auditor General.

25. Citizen's Clean Election - to study Arizona's Clean Election statute and determine the feasibility of enacting similar changes in Utah law.

26. Coordination of State Policies - to study the coordination of state policies through various state agencies.

27. Electing President by Popular Vote - to study repealing the electoral college vote and electing the President by popular vote.

28. Federal Research Committee - to study the creation of a Federal Research Committee (S.B. 181).

29. Governmental Immunity - to study whether an offer of judgment should be required of an employee who is defended by the government.

30. GRAMA Revisions - to study and address issues related to access and classification of records (H.B. 287).

31. Impacts Related to the Senior Population - to study the impact of population growth in the senior population and the impacts on all facets of state government.

32. Initiative Costs - to study issues related to initiative cost requirements.

33. Office Space for Legislators - to study whether legislators should be provided with office space in state office buildings around the state.

34. Procurement and Health Care Benefits - to study procurement code requirements of health care benefits (S.B. 101, 2003 General Session).

35. Property Rights Ombudsman - to study whether the role or duties of the property rights ombudsman should be changed.

36. Public Officer and Employee Ethics - to study removing an exception in the Utah Public Officers' and Employees' Ethics Act regarding participation in transactions where the employee has an interest (S.B. 236).

37. Uncollectible Debts Owed the State - to study whether the state should sell debts considered uncollectible to a private vendor.

38. Voting by Undocumented Aliens - to study sufficient safeguards in Utah law to

prevent undocumented aliens from registering to vote.

39. Access to Medical Information - to study how the Legislature can enable Utahns to get information on the complication rate, mortality rate, and malpractice or error rate for individual hospitals and doctors, prices of medical procedures and services, and whether doctors and hospitals are up-to-date and adhering to the more than 1,200 published guidelines for medical care.

40. Acupuncture by Chiropractors - to study defining the practice of acupuncture by chiropractors (S.B. 249).

41. Any Willing Provider - to study the Any Willing Provider concept (S.B. 216).

42. Arrears in Paternity Cases - to study the establishment of arrears in paternity cases.

43. Asset Test for Medicaid Eligibility - to study the elimination of the asset test for Medicaid eligibility (H.B. 244).

44. Bleeding Disorders in Children - to study unique challenges and costs for families of children with bleeding disorders with the objective of securing insurance coverage while allowing the family to retain assets and income.

45. Charity Care - to study issues related to charity care.

46. Chiropractic Training in Acupuncture - to study the amount of training chiropractic physicians should have before they can engage in the practice of acupuncture.

47. Choice of Health Care - to study prohibiting unfair competition by a health insurer who owns hospitals and employs health care providers in certain markets (H.B. 331).

48. Cost of Health Care for Bleeding Disorders - to study the cost of health care for people with bleeding disorders, including health insurance and possible Medicaid coverage.

49. Cost of Insurance Coverage - to study and determine the reasonable cost for requiring the responsible parent to have insurance coverage.

50. Coverage for Bleeding Disorders - to study an insurance cap and funding issues related to bleeding disorders.

51. DCFS Involvement in Protective Orders - to study the involvement of the Division of Child and Family Services in the issuing of child protective orders.

52. DCFS Ombudsman Changes - to study ombudsman changes in the Division of Child and Family Services (S.B. 54).
53. Dental School Tuition - to study the subsidizing of tuition for some students at Creighton University School of Dentistry.
54. Guardian Ad Litem - to study the duties and functions of the Guardian Ad Litem Office.
55. Health Insurance Reimbursement for Emergencies - to study health insurance reimbursement for emergency room trauma level 1 and level 2 visits and whether the insurance discount for level 1 trauma cases should be discontinued.
56. Hunger - to study issues related to hunger in Utah.
57. Limited Health Plans - to study audits of limited health plans.
58. Maternity Health Care - to study requiring accident and health insurers to cover infertility treatment when the insurer offers maternity coverage (S.B. 221).
59. Medicaid Reimbursement - to study Medicaid reimbursement rates for dentists.
60. Medical Reserve Corps - to study issues related to the development of a Medical Reserve Corps in Utah to provide additional medical services in times of disaster.
61. Midwifery - to study whether the state should license certified direct-entry midwives.
62. Pharmaceutical Cost Reduction - to study benefits to consumers of dispensing, where appropriate, generic drugs (1st Sub. H.B. 69).
63. Prescription Drug Pricing Data - to study consumer access to prescription drug pricing data.
64. Prescription Drugs for Seniors - to study Arizona's CoppeRX prescription drug program, which offers discounts on generic and brand name prescription drugs for seniors.
65. Protective Custody of Abused, Neglected, or Dependent Children - to study the process followed by peace officers and Division of Child and Family Services workers in both the determination to take a child into protective custody and the manner in which the custody is effected (1st. Sub. H.B. 151).
66. Public Reporting of Medical Data - to study the need for periodic public reporting of

morbidity and mortality rates for all hospitals and doctors, with breakdowns by appropriate category; prices for all procedures or services offered by pharmacies, doctors, and hospitals; maximum allowable charge that each insurance company makes for all procedures and diagnosis-related groups; hospital error rates; and all malpractice payments over \$50,000 made by any health care provider, including hospitals.

67. Reporting of Electro Shock Therapy - to study whether to require physicians to report their use of electro shock therapy (H.B. 257).

68. Adoption Law - to study adoption law revisions (H.B. 276).

69. Child Support Arrearages and Parental Rights - to study whether child support arrearages should be divested at the time of the termination of parental rights, as Section 78-3a-413 seems to indicate, or whether parents whose parental rights have been terminated pay child support arrearages as debt.

70. Child Support Termination - to study the abatement or termination of child support when children are alienated from the noncustodial parent by the custodial parent.

71. Custodial and Noncustodial Parents - to study issues related to custodial and noncustodial parents.

72. Division of Property in Divorce - to study whether marital property is equitably divided in cases of divorce.

73. Divorce Decrees if Trial Delayed - to study whether Utah judges should be authorized to issue a divorce decree, including issues of custody and division of property, when the parties have exceeded trial deadlines from one year of filing for the divorce.

74. Duration of Child Support - to study whether the Office of Recovery Services should be required to collect on unpaid child support until the last child is 26.

75. Impact of Child Support on Driver License Privileges - to study the administrative suspension of driver licenses for failure to pay child support.

76. Justice Court Appeals - to study the rights of appeal from Justice (municipal) Courts.

77. Marriage Preparation Education - to study ways to encourage married couples to engage in education on issues critical to achieving marriage longevity and reducing discord and

divorce (H.B. 7).

78. Mediation in Divorce - to study the expansion of the mediation program in divorces involving children.

79. Privacy of Radio Frequency - to study rights of privacy related to radio frequency identification.

80. Recall Election Process - to study the recall of elected officials (H.B 316 and H.J.R. 14).

81. Referendum and Election - to study municipal referendum and election processes.

82. Termination of Parental Rights Related to Child Support - to study clarifying the intent of the statutory language on the termination of parental rights regarding the collection of previously accrued arrears in child support.

83. Abandoned Vehicles - to study the increasing problems caused by illegally abandoned vehicles.

84. Asset Forfeiture - to study whether federal seizures are conducted in accordance with state forfeiture procedures and whether the resultant proceeds pass through the state-mandated redistribution scheme.

85. Background Checks for Those in Contact with Children - to study cost-effective methods of conducting criminal background checks on government employees and others who have contact with children and the general public.

86. Counterfeiting Medical Devices - to study issues related to the counterfeiting of medical devices.

87. Funding Treatment for Sex Offenders - to study how treatment is currently funded and how to address needs.

88. Notice of Child Protective Orders - to study whether child protective orders should be reported to UBCI so probation officers can determine whether the orders have been violated by probationers.

89. Pound Seizure - to study Utah's pound seizure law.

90. Recodifying Youth Corrections - to study the recodification of Utah Code Title 62A,



Chapter 7, Youth Corrections.

91. Traffic Accident Response - to study whether exceptions should be allowed to the current tow truck rotation system, administered by the Department of Public Safety, to allow an officer to use a closer tow truck to clear the accident to restore the traffic flow (H.B. 212).

92. Transmitting Computer Viruses - to study the crime of transmitting computer viruses.

93. Unsolicited Pornographic E-mail - to study ways to stop unsolicited pornographic e-mail.

94. Waiver of Claims - to study issues related to the waiver of claims by minors.

95. Weapons Law Exemptions - to study exemptions to weapons laws related to an off duty police officer.

96. Animal Diseases - to study preventive steps to address various animal diseases.

97. Animal Feeding Issues - to study total daily maximum load as it relates to water pollutants, animal feeding operations, and confined animal feeding operations.

98. Bottle Recycling - to study requiring a deposit on the purchase of certain beverage containers, providing for a refund of the container deposit, and other recycling issues (H.B. 338).

99. Brine Shrimp Royalties - to study issues related to brine shrimp royalties on the Great Salt Lake.

100. Brownfield Legislation - to study legislation related to preparing land for reuse.

101. Cache Valley and St. George Air Quality - to study issues related to Cache Valley and St. George air quality.

102. Drainage Water Rights - to study what effect wells, diversions, or development have when a water right includes an entire drainage.

103. Fees for Imported Waste - to study whether to require municipal and county landfills to pay the same fees as commercial landfills if they accept waste generated beyond their boundaries.

104. Filing and Perfecting of Water Rights - to study changes to water appropriation provisions to provide an application of beneficial use for public agencies (H.B. 104).

105. Ground Water Management - to study cases where more water than the safe annual yield of an aquifer could be withdrawn based on existing water rights.

106. Impact of Wildlife - to study codes for building in high risk areas and other impacts of wildlife.

107. Livestock Identification Program - to study the impact to the state of the national livestock identification program.

108. Nuclear Waste Transportation - to study high level nuclear waste transportation.

109. Participation in Federal Programs - to study the federal programs in which the Department of Natural Resources participates.

110. Pesticide Misuse - to study the effects of pesticide spraying on beekeeping businesses.

111. Petroleum Storage Tank Trust Fund - to study whether to privatize the Petroleum Storage Tank Trust Fund.

112. Solvency of Petroleum Storage Tank Trust Fund - to study the solvency of the Petroleum Storage Tank Trust Fund.

113. Subdivision Development Partnership - to study environmental, wastewater, and drinking water issues related to subdivision development partnerships.

114. Test Wells - to study the appropriate use of test wells (for water) to make sure they are used properly to test for location and quality of water, but not used to improperly appropriate water.

115. Water Rights Transfer - to study ways to help water companies and their members against suits for denying water rights transfer requests.

116. Watershed Management - to study issues related to watershed management.

117. Wildfires - to study issues related to wildfires.

118. Wildlife - to study issues related to wildlife, including costs, sensitive species, and building codes.

119. Associations of Governments - to study placing in state statute the existing seven associations of governments.

120. County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities - to study changing the definition of "recreational facility" to include a "cultural facility" and defining "cultural facility" (H.B. 125).

121. County Powers to Condemn Water - to study whether counties should have the power of eminent domain in order to allow them, or special districts established by them, to condemn water rights.

122. County Recorder Amendments and GRAMA Revisions - to study changing certain county recorder fees and establishing that placing endorsements, references, or other notes on an instrument of record is not a prohibited act, and review what changes should be made to GRAMA (S.B. 116 and H.B. 287).

123. GIS and Political Subdivision Boundaries - to study ways county surveyors, county recorders, and others might coordinate with the state to improve the accuracy of cadastral and political subdivisions boundary Geographic Information System information.

124. Land Use Development Act - to study land use procedures and changes to the County and Municipal Land Use Development and Management Acts.

125. Land Use Management - to study the recodification of County and Municipal Land Use Development and Management Acts.

126. Lobbyists for Cities and Counties - to study whether tax dollars should be used to pay lobbyists hired by cities and counties.

127. Municipal Boards of Examiners - to study the establishment of county and city boards of examiners (S.B. 153).

128. Municipal Fee Repeals - to study the repeal of fees in clerk and recorder offices.

129. Municipal Water Rate Variances - to study the reasons for different water rates between county and city residents served by a city water utility, and options for county residents served by a city water utility to increase their representation.

130. Prosecution Costs for Small Counties - to study the creation of a pool for prosecuting capital crimes similar to the pool for capital defense costs.

131. Redevelopment Agencies - to study various issues relating to Redevelopment

Agencies.

132. Sewer Service Outside a Local Government Entity - to study whether to require local government entities that provide sewer service to allow property outside the entity to hook into sewer service without annexing if the property to be served is uphill and it would be impractical to receive service from the entity in which the property is located.

133. Variance Requirements - to study Board of Adjustment requirements to grant a variance.

134. Electric Generation Competitive Bids - to study the enactment of an Electric Reliability and Transparency Act (S.B. 198).

135. Government Data Development - to study the development of key data that will help legislative and executive branch agencies better address the growth of the technology industry.

136. HELP Program Classification - to study whether the HELP program is a third party transaction as described in Utah Code Section 54-4-37.

137. Impact of Utility Rates on Decisionmaking - to study making the economic impact of utility rates a major part of Public Service Commission decisions.

138. Information Technology Governance - to study and review information technology governance and efficiency in state government.

139. Internet Provider Disclosure of Information - to study the disclosure of personally identifiable information by an Internet business and the importance of ensuring privacy (H.B. 216).

140. Power Plants and Transmission Corridors - to study power plants and transmission corridor-related issues including additional capacity needs, siting, permitting, etc.

141. PSC Approval Prior to Construction - to study requiring the Public Service Commission to approve projects for expansion or operation, over a certain dollar amount, before construction.

142. Regulation of Cable Companies - to study the Public Service Commission's regulation of cable companies (H.B. 167).

143. Security of Public Utilities - to study whether public utility security information is exempted from GRAMA requirements.

144. Alternatives to Individual Income Tax - to study whether to replace the individual income tax with a consumption tax or a flat tax.

145. Apportionment of Taxable Income Under the State Corporate Income Tax - to study the statutory formula and when taxable income is apportioned under the state corporate income tax.

146. Central Assessment in Property Tax Rate Calculation - to study how to include changes in the value of centrally assessed firms attributable to inflation in the calculation of the certified property tax calculation.

147. Clean Air Discounts and Tax Credits - to study the use of corporate franchise and income tax credit and the individual income tax credit for a vehicle manufactured to use clean fuel and the use of a clean fuel loan or grant under certain conditions (S.B. 213).

148. Corporate Accountability - to study requiring a person that receives certain tax incentives or other financial incentives to prepare an annual public report containing the amount of financial benefit the person receives (S.B. 57).

149. Education Access to Income Tax Monies - to study a 1996 proposition (which passed) that allowed higher education to access income tax monies versus keeping monies in public education.

150. Factors in Calculating the Property Tax Rate - to study whether to include redemptions, penalties, and interest from property taxes when calculating the property tax certified rate.

151. Fee Structure for Motor Homes - to study creating a statewide uniform fee that applies exclusively to motor homes (H.J.R. 11).

152. Local Option Sales Tax - to study the allocation of local option sales and use taxes.

153. North American Industrial Classification - to study how to adopt the North American Industrial Classification system in the tax code.

154. Property Tax System - to study whether to reform the state's property tax system.

155. Purchase Price Reduction Coupons - to study the taxability of purchase price reduction coupons.

156. Review of Tax Credits - to study whether tax credits should have a ten-year sunset date to require the Legislature to review tax credits and affirmatively renew tax credits if they are still valid.

157. Sales and Use Taxes - to study whether to change certain sales and use tax exemptions currently in place (S.B. 31).

158. Severance Tax - to study severance tax issues, including point of assessment or collection, pricing and production in calculating the tax amount, and value fluctuation.

159. State and Corporate Income Tax - to study the corporate income tax allocation formula, state income tax, and collection procedures.

160. Tax Treatment by Municipalities of Satellite and Cable Television Services - to study issues related to taxes and fees imposed by municipalities on satellite and cable television services.

161. Taxing Income From Military Service - to study the taxing of income received from active duty military service (H.B. 117).

162. Telecommunications Tax - to study issues related to a telecommunications tax.

163. Benefits and Reimbursements - to study state employee benefits and the entire reimbursement package.

164. Employee Benefits - to study medical and retirement benefits for part-time state employees.

165. Retirement - to study and review all retirement plans.

166. Retirement and Health Systems - to study retirement and Public Employees Health Plan issues.

167. Retirement Board Modifications - to study board membership, open meetings, reports, scope of coverage, and issues such as whether the Legislature should mandate investment practices and whether health benefits should be separated from pension benefits.

168. Retirement for Charter Schools - to study the issues and make a final

recommendation on whether charter schools should be included or excluded from the Utah State Retirement System (H.B. 108).

169. State Health Plans - to study and review all state employee health plans.

170. Audit of Division of Motor Vehicles - to study and review the performance audit of the Division of Motor Vehicles.

171. Bid Limit on Road Construction - to study the requirement for bid limit estimating size of project on government-constructed B and C road construction.

172. Fund-Raising License Plates - to study issues related to fund-raising license plates.

173. Handicap Parking Permits for Motorcycles - to study allowing persons assisting a handicapped person on a motorcycle to park with them.

174. Notice of Traffic Laws - to study ways to inform drivers of traffic laws through use of signs, website, etc. (H.B. 333).

175. Off-Highway Vehicles - to study issues related to off-highway vehicles.

176. Out-of-State Registration - to study out-of-state vehicle and R.V. registration.

177. Speed Lanes - to study the restructuring of speed lanes for commercial vehicles.

178. Toll Roads - to study the feasibility of using "hot lanes" on toll roads on portions of Utah's interstate system.

179. Traffic Code - to study recodifying the traffic code, Title 41, Chapter 6, Traffic Rules and Regulation.

180. Traffic School Limit - to study limiting the number of traffic school completions a person can have to avoid a traffic ticket.

181. Uninsured and Unregistered Motorists - to study ways to reduce the number of motorists who are driving with no automobile insurance and revoked registration.

182. Use of Photo Radar Technologies - to study current technology and costs of photo red light and photo radar with the objective of providing local law enforcement with an additional tool of traffic safety and enforcement and public protection from injury and fatality.

183. Aerospace and Aviation Development Zone - to study instrument and other requirements for an airport to qualify as an Aerospace and Aviation Development Zone (S.B.

74).

184. Capital Gains Exemption for Economic Development - to study implementing a state capital gains exemption for investors to create investment incentive to support technology companies in the state.

185. Impacts on the Family Employment Program - to study the impact of "pausing the clock" on the Family Employment Program.

186. Increasing Flow of Federal Grants to Utah - to study implementing a comprehensive plan for developing higher levels of federal grant money flowing to Utah business.

187. State Incentive Best Practices for Technology - to study best practices of other states for state-sponsored incentives to aid growth of middle, early, and start-up stage technology companies.

188. Dynamic Fiscal Notes - to study whether to incorporate truth into fiscal forecasting by requiring an analysis of the benefits of tax exceptions and reductions in revenues resulting from legislation in addition to the static recitation of revenue losses only.

189. Connecting Names to Legislation or Programs - to study the policy and whether it is appropriate to connect an individual's name with legislation or a program.

190. Timing of Committee Report Distribution - to study distributing a hard copy of House Rules Committee reports, and other committee reports, to all members of the House before the vote on the reports.

191. The Study of Sections 78-27-37 through 78-27-42, Liability Reform Act.

192. Disposal and Recycling of Electronic Equipment.

193. National Identification Number Replacing Brand Inspection.

194. To Study the Interaction between Sections 10-3-830 and 10-3-1206 relating to forms of Municipal Government, whether there is a conflict between those sections and, if so, how to resolve the conflict.

195. Design-build and Other Construction Delivery Methods.

196. Right to Life.

197. CCWP Revisions.



198. Study a Certified Medication Aide Pilot Program for Long Term Care Facilities.
199. To Study the Feasibility of Medical Reimbursement Accounts for Public Employees.
200. Divorce Related Issues.
201. Review of Approval Process for Revenue Bonds on Capital Projects.
202. Private Deer Herds Possibility.
203. Study Consequences of Mutualization of Workers' Compensation Fund.
204. Electrical Generation Open Bid Process.
205. Section 125 Cafeteria Plans for State Legislators.
206. Public Schools Writing Across the Curriculum.
207. Medical Reimbursement Accounts - Health Insurance for Public Education.