

1 **UTAH COMMISSION ON AGING**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Patricia W. Jones**

5 House Sponsor: Eric K. Hutchings

6
7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions relating to the Utah Commission on Aging and extends the
10 commission until July 1, 2009.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ extends the sunset date for the Utah Commission on Aging to July 1, 2009;
- 15 ▶ modifies the membership of the commission;
- 16 ▶ provides for the replacement of an appointed member of the commission if the
17 member has three consecutive unexcused absences;
- 18 ▶ provides that the Center on Aging within the University of Utah, ~~§~~→ [Division of
19 Geriatrics] ←~~§~~, shall:

20 ~~§~~→ [—•— provide administrative support to the commission;] ←~~§~~

- 21 • pay the salary, and oversee the performance of, the executive director of the
22 commission;
- 23 • provide staff support for the executive director of the commission and the
24 commission; and
- 25 • provide office space, furnishings, and supplies to the commission, the
26 executive director of the commission, and support staff;
- 27 ▶ provides that the executive director of the commission will be appointed by the



28 executive director of the Center on Aging and that the appointment must be ratified by the
29 governor;

30 ▶ provides that the funds appropriated by the Legislature for the commission may only
31 be used for the purposes described in the chapter relating to the commission; and

32 ▶ makes technical changes.

33 **Monies Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **63-55-263**, as last amended by Chapters 82 and 86, Laws of Utah 2006

40 **63-99-102**, as enacted by Chapter 279, Laws of Utah 2005

41 **63-99-104**, as enacted by Chapter 279, Laws of Utah 2005

42 **63-99-105**, as enacted by Chapter 279, Laws of Utah 2005

43 REPEALS AND REENACTS:

44 **63-99-110**, as enacted by Chapter 279, Laws of Utah 2005



46 *Be it enacted by the Legislature of the state of Utah:*

47 Section 1. Section **63-55-263** is amended to read:

48 **63-55-263. Repeal dates, Titles 63 to 63E.**

49 (1) Title 63, Chapter 25a, Part 3, Sentencing Commission, is repealed January 1, 2012.

50 (2) The Crime Victims' Reparations Board, created in Section 63-25a-404, is repealed
51 July 1, 2007.

52 (3) The Resource Development Coordinating Committee, created in Section
53 63-38d-501, is repealed July 1, 2015.

54 (4) Title 63, Chapter 38f, Part 4, Enterprise Zone Act, is repealed July 1, 2008.

55 (5) (a) Title 63, Chapter 38f, Part 11, Recycling Market Development Zone Act, is
56 repealed July 1, 2010.

57 (b) Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in
58 recycling market development zones, are repealed for taxable years beginning on or after

59 January 1, 2011.

60 (c) Notwithstanding Subsection (5)(b), a person may not claim a tax credit under
61 Section 59-7-610 or 59-10-1007:

62 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
63 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

64 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
65 the expenditure is made on or after July 1, 2010.

66 (d) Notwithstanding Subsections (5)(b) and (c), a person may carry forward a tax credit
67 in accordance with Section 59-7-610 or 59-10-1007 if:

68 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

69 (ii) (A) for the purchase price of machinery or equipment described in Section
70 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;

71 or

72 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
73 expenditure is made on or before June 30, 2010.

74 (6) Title 63, Chapter 47, Utah Commission for Women and Families, is repealed July
75 1, 2011.

76 (7) Title 63, Chapter 75, Families, Agencies, and Communities Together for Children
77 and Youth At Risk Act, is repealed July 1, 2016.

78 (8) Title 63, Chapter 88, Navajo Trust Fund, is repealed July 1, 2008.

79 (9) Title 63, Chapter 99, Utah Commission on Aging, is repealed July 1, [2007] 2009.

80 (10) [(a)] Section 63A-4-204, authorizing the Risk Management Fund to provide
81 coverage to any public school district that chooses to participate, is repealed July 1, 2016.

82 [~~(b) Section 63A-4-205, authorizing the Risk Management Fund to provide coverage to~~
83 ~~any local health department that chooses to participate, is repealed July 1, 2006.]~~

84 (11) Section 63C-8-106, Rural residency training program, is repealed July 1, 2015.

85 Section 2. Section **63-99-102** is amended to read:

86 **63-99-102. Definitions.**

87 As used in this chapter:

88 (1) "Aging" and "aged" are as defined in Section 62A-3-101.

89 (2) "Center on Aging" means the Center on Aging within the University of Utah ~~§~~ → [] ← ~~§~~

90 ~~§~~→ [Division of Geriatrics] ←~~§~~ .

91 [~~(2)~~] (3) "Commission" means the Utah Commission on Aging, created in Section
92 63-99-103.

93 Section 3. Section **63-99-104** is amended to read:

94 **63-99-104. Composition -- Appointments -- Terms -- Removal.**

95 (1) The commission shall be composed of 21 voting members as follows:

96 (a) one senator, appointed by the president of the Senate;

97 (b) one representative, appointed by the speaker of the House of Representatives;

98 (c) the executive director of the Department of Health;

99 (d) the executive director of the Department of Human Services;

100 (e) the executive director of the [~~Department of Community and Culture~~] Governor's
101 Office of Economic Development;

102 (f) the executive director of the Department of Workforce Services; and

103 (g) 15 voting members, appointed by the governor, representing each of the following:

104 (i) the Utah Association of Area Agencies on Aging;

105 (ii) higher education in Utah;

106 (iii) the business community;

107 (iv) the Utah Association of Counties;

108 (v) the Utah League of Cities and Towns;

109 (vi) charitable organizations;

110 (vii) the health care provider industry;

111 (viii) financial institutions;

112 (ix) the legal profession;

113 (x) the public safety sector;

114 (xi) public transportation;

115 (xii) ethnic minorities;

116 (xiii) the industry that provides long-term care for the elderly;

117 (xiv) organizations or associations that advocate for the aging population; and

118 (xv) the general public.

119 (2) (a) A member appointed under Subsection (1)(g) shall serve a two-year term.

120 (b) Notwithstanding the term requirements of Subsection (2)(a), the governor may

121 adjust the length of the initial commission members' terms to ensure that the terms are
 122 staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are
 123 appointed each year.

124 (c) When, for any reason, a vacancy occurs in a position appointed by the governor
 125 under Subsection (1)(g), the governor shall appoint a person to fill the vacancy for the
 126 unexpired term of the commission member being replaced.

127 (d) Members appointed under Subsection (1)(g) may be removed by the governor for
 128 cause.

129 (e) A member appointed under Subsection (1)(g) shall be removed from the
 130 commission and replaced by the governor if the member is absent for three consecutive
 131 meetings of the commission without being excused by the chair of the commission.

132 (3) In appointing the members under Subsection (1)(g), the governor shall:

133 (a) take into account the geographical makeup of the commission; and

134 (b) strive to appoint members who are knowledgeable or have an interest in issues
 135 relating to the aging population.

136 Section 4. Section **63-99-105** is amended to read:

137 **63-99-105. Executive director -- Qualifications -- Appointment -- Functions.**

138 (1) (a) Subject to ~~[Subsection]~~ Subsections (1)(b) and (c), the ~~[governor]~~ executive
 139 director of the Center on Aging shall appoint an executive director of the commission.

140 (b) The executive director appointed under Subsection (1)(a) shall be a person
 141 knowledgeable and experienced in matters relating to:

142 (i) management; and

143 (ii) the aging population.

144 (c) The appointment described in Subsection (1)(a) is not effective until ratified by the
 145 governor.

146 (2) The executive director of the commission, under the direction of the commission
 147 and the executive director of the Center on Aging, shall administer the duties of the
 148 commission.

149 Section 5. Section **63-99-110** is repealed and reenacted to read:

150 **63-99-110. \$→ [Administration and oversight] Oversight ←\$ -- Executive director salary**
 -- Staff

151 **support -- Use of funds.**

152 (1) The Center on Aging shall:
153 ~~§→ [(a) provide administrative support to the commission;]~~ ←§
154 ~~§→ [(b) (a) ←§~~ pay the salary, and oversee the performance of, the executive director of the
155 commission;
156 ~~§→ [(c) (b) ←§~~ provide staff support for the executive director of the commission and the
157 commission; and
158 ~~§→ [(d) (c) ←§~~ provide office space, furnishings, and supplies to the commission, the
159 executive
159 director of the commission, and support staff.
160 (2) The funds appropriated by the Legislature for the commission may only be used for
161 the purposes described in this chapter.

Legislative Review Note
as of 11-16-06 9:39 AM

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-19-06 7:02 AM

The Health and Human Services Interim Committee recommended this bill.

S.B. 26 - Utah Commission on Aging

Fiscal Note

2007 General Session

State of Utah

State Impact

The Commission on Aging is currently funded through a federal grant that is about to end. Enactment of this bill would replace federal funds with state funds and fund the two current employees. Enactment would require an ongoing appropriation to the University of Utah of \$174,500, plus one-time start-up costs of \$5,900.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$0	\$174,500	\$174,500	\$0	\$0	\$0
General Fund, One-Time	\$0	\$5,900	\$0	\$0	\$0	\$0
Total	\$0	\$180,400	\$174,500	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
