



30           ▶ makes technical changes.

31 **Monies Appropriated in this Bill:**

32           None

33 **Other Special Clauses:**

34           None

35 **Utah Code Sections Affected:**

36 **AMENDS:**

37           **63-55-263**, as last amended by Chapters 82 and 86, Laws of Utah 2006

38           **63-99-102**, as enacted by Chapter 279, Laws of Utah 2005

39           **63-99-104**, as enacted by Chapter 279, Laws of Utah 2005

40           **63-99-105**, as enacted by Chapter 279, Laws of Utah 2005

41 **REPEALS AND REENACTS:**

42           **63-99-110**, as enacted by Chapter 279, Laws of Utah 2005



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

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

46           **63-55-263. Repeal dates, Titles 63 to 63E.**

47           (1) Title 63, Chapter 25a, Part 3, Sentencing Commission, is repealed January 1, 2012.

48           (2) The Crime Victims' Reparations Board, created in Section 63-25a-404, is repealed  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

50           (3) The Resource Development Coordinating Committee, created in Section  
51 63-38d-501, is repealed July 1, 2015.

52           (4) Title 63, Chapter 38f, Part 4, Enterprise Zone Act, is repealed July 1, 2008.

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54 repealed July 1, 2010.

55           (b) Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in  
56 recycling market development zones, are repealed for taxable years beginning on or after  
57 January 1, 2011.

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

60 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or  
61 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

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

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

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

67 (ii) (A) for the purchase price of machinery or equipment described in Section  
68 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;  
69 or

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

72 (6) Title 63, Chapter 47, Utah Commission for Women and Families, is repealed July  
73 1, 2011.

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

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

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

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

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

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

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

84 **63-99-102. Definitions.**

85 As used in this chapter:

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

87 (2) "Center on Aging" means the Center on Aging within the University of Utah.

88 [~~2~~] (3) "Commission" means the Utah Commission on Aging, created in Section  
89 63-99-103.

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

91 **63-99-104. Composition -- Appointments -- Terms -- Removal.**

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

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

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

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

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

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

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

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

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

102 (ii) higher education in Utah;

103 (iii) the business community;

104 (iv) the Utah Association of Counties;

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

106 (vi) charitable organizations;

107 (vii) the health care provider industry;

108 (viii) financial institutions;

109 (ix) the legal profession;

110 (x) the public safety sector;

111 (xi) public transportation;

112 (xii) ethnic minorities;

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

114 (xiv) organizations or associations that advocate for the aging population; and  
115 (xv) the general public.

116 (2) (a) A member appointed under Subsection (1)(g) shall serve a two-year term.  
117 (b) Notwithstanding the term requirements of Subsection (2)(a), the governor may  
118 adjust the length of the initial commission members' terms to ensure that the terms are  
119 staggered so that approximately 1/2 of the members appointed under Subsection (1)(g) are  
120 appointed each year.

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

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

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

129 (3) In appointing the members under Subsection (1)(g), the governor shall:  
130 (a) take into account the geographical makeup of the commission; and  
131 (b) strive to appoint members who are knowledgeable or have an interest in issues  
132 relating to the aging population.

133 Section 4. Section **63-99-105** is amended to read:  
134 **63-99-105. Executive director -- Qualifications -- Appointment -- Functions.**

135 (1) (a) Subject to [~~Subsection~~] Subsections (1)(b) and (c), the [~~governor~~] executive  
136 director of the Center on Aging shall appoint an executive director of the commission.  
137 (b) The executive director appointed under Subsection (1)(a) shall be a person  
138 knowledgeable and experienced in matters relating to:  
139 (i) management; and  
140 (ii) the aging population.  
141 (c) The appointment described in Subsection (1)(a) is not effective until ratified by the

142 governor.

143 (2) The executive director of the commission, under the direction of the commission  
144 and the executive director of the Center on Aging, shall administer the duties of the  
145 commission.

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

147 **63-99-110. Oversight -- Executive director salary -- Staff support -- Use of funds.**

148 (1) The Center on Aging shall:

149 (a) pay the salary, and oversee the performance of, the executive director of the  
150 commission;

151 (b) provide staff support for the executive director of the commission and the  
152 commission; and

153 (c) provide office space, furnishings, and supplies to the commission, the executive  
154 director of the commission, and support staff.

155 (2) The funds appropriated by the Legislature for the commission may only be used for  
156 the purposes described in this chapter.