



INTERIM HIGHLIGHTS

Office of Legislative Research
and General Counsel

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Office of the Legislative
Fiscal Analyst

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Office of the Legislative
Auditor General

2003 SECOND SPECIAL SESSION

Wednesday, November 19, 2003 at 2:00 p.m.

The President of the Senate, the Speaker of the House of Representatives, and the Governor have agreed to hold a special session on November Interim Day. The schedule of meetings will be as follows:

Morning Committee Meetings

8:00 a.m. - 10:15 a.m.

Afternoon Committee Meetings

10:30 a.m. - 12:45 p.m.

Caucus and Lunch

1:00 p.m. - 2:00 p.m.

Special Session

2:00 p.m.

Items on the call have not been finalized but there is agreement that scheduled items should have a sense of urgency and broad agreement as to what should be done.

INTERIM COMMITTEE ACTIONS

Business and Labor

REPORTS:

- S Received a statutorily required report from the Department of Financial Institutions on the Department's and other organizations' efforts to address issues related to consumer credit education.
- S Received a report from the Department of Commerce on the viability of the Lien Recovery Fund.

ACTION: Approved a motion to recommend the sunset of the Employers Reinsurance Fund Special Assessment.

*Chairs: Sen. Parley Hellewell/Rep. Katherine M. Bryson
Staff: Mary Catherine Perry (analyst)/Patricia Owen (attorney)/Tracey Fredman (secretary)*

Education

REPORTS: Received reports on the Utah College of Applied Technology, applied technology education needs of secondary school students, and textbook needs and spending.

ACTIONS:

- S Approved funding for the development of complete proposals, pursuant to S.B. 154, "Public Education Amendments," as follows: \$42,000 to ProCert Labs; \$30,000 to Innovations in Education; and \$75,000 to a joint proposal by Dr. Donald Wright, EduMetrics Institute, and Rep. David Cox.
- S Referred the issue of state funding of foreign exchange students to the Public Education Appropriations Subcommittee for further study.

*Chairs: Sen. Howard A. Stephenson/Rep. Margaret Dayton
Staff: Constance Steffen (analyst)/Dee Larsen (attorney)/Glenda Whitney (secretary)*

Government Operations

REPORTS:

- S Received a report from DHRM comparing salaries of male and female state employees.
- S Received a report from a task force that examined the issue of governmental immunity.

ACTION: Recommended draft legislation "Absentee Ballot Amendments," "Repeal of Cost Savings Suggestions Pilot Program," and amended and recommended "Election Law Amendments."

*Chairs: Sen. John W. Hickman/Rep. James A. Ferrin
Staff: John Cannon (analyst)/John Fellows (attorney)/Cassandra Bauman (secretary)*

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Health and Human Services

STUDIES:

- S Reviewed and discussed draft legislation "Insurance Code Exemption."
- S Reviewed and discussed draft legislation "Utah Pharmaceutical Insurance Program."

REPORT: Received a report from the Department of Health's Ad Hoc Pharmaceutical Advisory Committee on improving access to prescription drugs.

*Chairs: Sen. Sheldon Killpack/Rep. Mike Thompson
Staff: Mark Andrews (analyst)/Catherine Dupont, Stacey Snyder (attorneys)/Joy Miller (secretary)*

Judiciary

STUDY: Began a sunset review of the Utah Commission on Criminal and Juvenile Justice which will be continued at the committee's November meeting.

REPORTS:

- S Received a report from the Child Support Advisory Committee regarding its proposal to increase the state's child support guideline statutes.
- S Received a report from the Utah Commission on Criminal and Juvenile Justice regarding its "First Annual DUI Report to the Utah Legislature."
- S Received a report from the Utah Sentencing Commission regarding its recent publication of a "DUI Best Sentencing Practices Guidebook."

ACTION:

- S Amended and recommended draft legislation "Trust Law Amendments."
- S Recommended draft legislation "Court Security Fund Amendments."

*Chairs: Sen. David L. Gladwell/Rep. Ben C. Ferry
Staff: Jerry Howe (analyst)/Esther Chelsea-McCarty (attorney)/Cassandra Bauman (secretary)*

Law Enforcement and Criminal Justice

STUDIES:

- S Continued discussion on substance abuse policy reforms.
- S Discussed draft legislation "Drug Lab Cleanup and Disclosure" to implement methamphetamine drug lab cleanup procedures.

REPORT: Received an annual report on the DUI Best Practices Sentencing Guidelines.

ACTION: Directed the Commission on Criminal and Juvenile Justice to bring final recommendations to the November committee meeting.

*Chairs: Sen. D. Chris Buttars/Rep. DeMar "Bud" Bowman
Staff: Jami Momberger (analyst)/Susan Creager Allred (attorney)/Tracey Fredman (secretary)*

Natural Resources, Agriculture, and Environment

STUDY: Discussed H.B. 17 "Agricultural Product Dealers Act Amendments" (2003 G.S.) and the need for further statutory modifications.

REPORTS:

- S Received a report from the state geologist on Utah Geological Survey efforts to create geologic mapping through the STATEMAP program.
- S Received a report from the Department of Agriculture on milk marketing orders and discussed ways to increase the pay price for milk producers.

*Chairs: Sen. Beverly Evans/Rep. Craig W. Buttars
Staff: Brian Allred (analyst)/Jeanenne Larson (attorney)/Joy Miller (secretary)*

Political Subdivisions

STUDIES:

- S Received information regarding the capabilities of GIS (Geographic Information Systems), the role of the Automated Geographic Reference Center, and the ways GIS might assist in planning for critical regional facilities.
- S Received information regarding the role of the State Planning Coordinator and the Resource Development Coordinating Committee in assisting in the prevention or resolution of conflicts between governmental entities in the siting of critical regional facilities.
- S Received information regarding UTA's proposal to make interlocal agreements more enforceable and exempt UTA from municipal/county land use regulation within railroad corridors.

ACTION: Recommended draft legislation, "Municipal Annexation Petition, Notice, and Signature Provisions."

*Chairs: Sen. Carlene M. Walker/Rep. Kory M. Holdaway
Staff: Joseph Wade (analyst)/Robert Rees (attorney)/Wendy Bangarter (secretary)*

Public Utilities and Technology

STUDIES:

- S Discussed unsolicited email issues including the need to protect legitimate business, the status of approximately 900-1200 lawsuits filed under Utah's laws, the need for definitions and a Safe Harbor provision, and how to protect email recipients from "spam" email.
- S Discussed Questar's "Green Sticker" program and considered the need for the program, how it is managed, and who should bear its costs.

*Chairs: Sen. Leonard M. Blackham/Rep. Stephen H. Urquhart
Staff: Richard North (analyst)/Thad LeVar (attorney)/Clay Hatch (secretary)*

Revenue and Taxation

STUDIES:

- S Reviewed proposed legislation "Individual Income Tax Amendments For Education Funding." The legislation would raise approximately \$88 million in additional revenue next fiscal year and include the following changes: (a) repealing the deduction for federal income taxes paid; (b) phasing out the personal exemption for taxpayers with more than two dependents; (c) changing the tax brackets; and (d) providing for a state earned income tax credit.
- S Reviewed proposed legislation "Residential Property Tax Exemptions" and "Exemptions to Residential Property Tax."
- S Reviewed proposed changes to the Streamlined Sales and Use Tax Act that was enacted during the 2003 General Session.
- S Received a report from staff on payments of sales tax revenue by municipalities to selected retail businesses.

REPORT: Received a report from the Office of the Legislative Auditor General regarding its audit of the Division of Taxpayer Services within the Utah State Tax Commission.

ACTION: Recommended draft legislation "Sales and Use Tax - Repeal of Cable and Satellite Service."

*Chairs: Sen. Curtis S. Bramble/Rep. Wayne A. Harper
Staff: Bryant Howe (analyst)/Rebecca Rockwell (attorney)/Sandra Wissa (secretary)*

Transportation

STUDY: Considered draft legislation "Fuel Tax Provisions for Clean Fueled Vehicles" which repeals the clean special fuel tax certificate and requires a retailer to collect a per gallon fuel tax on clean fuels sold for motor vehicle use.

REPORTS:

- S Received the First Annual DUI Report to the Legislature by the Utah Commission on Criminal and Juvenile Justice.
- S Received an update on the Uninsured Motorist Database Program from the Driver License Division.

ACTION: Recommended draft legislation "State Highway System Changes" which deletes from the state highway system, SR-308 near Kodachrome Basin State Park and a portion of SR-74 near Alpine.

*Chairs: Sen. Dan R. Eastman/Rep. Joseph G. Murray
Staff: Benjamin Christensen (analyst)/Shannon Halverson (attorney)/Wendy Bangertner (secretary)*

Workforce Services & Community and Economic Development

ACTIONS:

- S Recommended draft legislation "Unemployment Insurance Benefits-Social Security Benefits Offset."
- S Recommended draft legislation "Employment Security Modifications."

*Chairs: Sen. Scott K. Jenkins/Rep. David N. Cox
Staff: Mark Steingel (analyst)/Jim Wilson (attorney)/Glenda Whitney (secretary)*



AMERICA'S LEGISLATORS BACK TO SCHOOL WEEK Another Successful Year in Utah



America's Legislators Back to School Week is designed to teach young people—the nation's future voters and leaders—what it's like to serve as an elected official: the processes, pressures, debate, negotiation, and compromise that are the very fabric of representative democracy. Utah's legislators visited schools last month and led students in mock sessions, simulated committee hearings, held question and answer sessions, and taught bill drafting to bring civics to life in the classroom.

Legislators participating in this vital civic education program exemplified the spirit of public service showing a 77% increase from last year in schools, classrooms, and students visited.

School Visits: 160
Classroom Visits: 530
Students Visited: 15,900

Legislators were very successful in building public trust and confidence in state government—as demonstrated by a class of 3rd graders who enthusiastically gave hugs to their senator.

Five newspapers and two TV channels covered the event following legislators into the classroom. One representative visited 11 schools in her legislative district and said she had a blast facilitating mock sessions in EACH of the 55 classrooms she visited. Several legislators visited all of the schools within their legislative districts.

UTAH LEGISLATURE RECEIVES AWARD FOR ONLINE SERVICES

The Utah Legislature is among the top ten in the nation for providing a high level of online services to its citizens and legislators through information technologies, according to the Center for Digital Government. Utah's Legislature ranked #7 in the nation of those jurisdictions with the fullest implementation of technology benchmarks in the evolution of digital government, as represented in the Digital Legislatures Survey's questions.

The Center for Digital Government (Center) is a national research and advisory institute providing government, education, and industry leaders with support, research, and educational services to help them effectively incorporate new technologies in the 21st century.

This is the Center's second annual Digital Legislatures Survey, but the first year of an exclusive survey for legislatures, with full criteria for an expanded set of benchmarks.

Utah will receive the Digital Legislatures Survey award and will be honored at a reception during the Council of State Governments' Annual Forum in Pittsburgh, Pennsylvania on October 24. Winners will also be featured in Government Technology magazine and on the Center's website.

EXECUTIVE APPROPRIATIONS COMMITTEE

STUDIES:

- S The committee received a summary of Oregon's legislative oversight authority for federal funds. A listing of 75 federal grant applications totaling \$88.8 million was presented.
- S Advocacy groups, the pharmaceutical industry, Medicaid recipients, professionals and educators expressed support or concern for H.B. 126 "Medicaid Benefit Amendments" which passed during the 2003 General Session.

ACTION: The committee approved a motion to encourage the Department of Health to stop further progress toward implementing the preferred drug list.

LEGISLATIVE MANAGEMENT COMMITTEE

The Committee approved the following motions in a special meeting:

ACTIONS:

- S Directed staff to draft a letter to the Department of Environmental Quality (DEQ), asking for a postponement of a final determination on its plan to pump and treat contaminated groundwater in south Salt Lake County and discharge it into the Jordan River until LMC discusses the issue with DEQ at its November 18, 2003 meeting.
- S In response to an invitation by the Utah Supreme Court, the Committee authorized the Legislative General Counsel to participate as an amicus in the Judicial Conduct Commission and Honorable Joseph W. Anderson case pending before the Utah Supreme Court.



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