

From: Brad Dee
To:
Date: 9/14/2011 10:45:39 AM
Subject: Fw: Committee adopted plans
Attachments: Fw: Committee adopted plans

From: GAGE H FROERER
To: Brad Dee, Brad Gaivez, Dixon Pitcher, Richard Greenwood, Ryan Wilcox, Jeremy Petersen
Date: 9/13/2011 6:07:44 PM
Subject: FW: Committee adopted plans
Attachments: Committee Adopted House Base Map - 9-12-11.pdf, Mime.822

Attached is the map that was approved yesterday so you can compare the deviations. Call me with questions. I will plan on meeting as a group or individuals next Wed at Interim.

Gage

Date: Tue, 13 Sep 2011 15:00:43 -0600

From: kheiner@utah.gov

To: gage0505@msn.com; blockhart@utah.gov; BRIANSKING@utah.gov; CURTWEBB@utah.gov; CWATKINS@utah.gov; dipson@utah.gov; FGIBSON@utah.gov; KSUMSION@utah.gov; MELBROWN@utah.gov; merlynnnewbold@utah.gov; nhendrickson@utah.gov; ROGERBARRUS@utah.gov; toddkiser@utah.gov; bmcadams@utahsenate.org; gdavis@utahsenate.org; kvantassell@utahsenate.org; mwaddoups.senatepo.senatedo@utahsenate.org; rokerlund@utahsenate.org; screid@utahsenate.org

CC: jcannon@utah.gov; jfellows@utah.gov; jwade@utah.gov; lelder@utah.gov

Subject: Committee adopted plans

Redistricting Committee,

Attached is the PDF for the Committee Adopted House Base Map at yesterdays Redistricting Meeting.

This map, as well as the Committee adopted Senate map, is also available at RedistrictUtah.com at the following links:

House map - <http://www.redistrictutah.com/maps/house-of-reps/house-redistricting-committee-adopted-house-base-map-91211>

Senate map - <http://www.redistrictutah.com/maps/senate-redistricting-committee-adopted-base-map-91211>

We will be mailing out hard copies of the House map with the next Redistricting mailing that will go out tomorrow. If you would like multiple copies, and have not already requested, please let me know and I will be happy to mail you more.

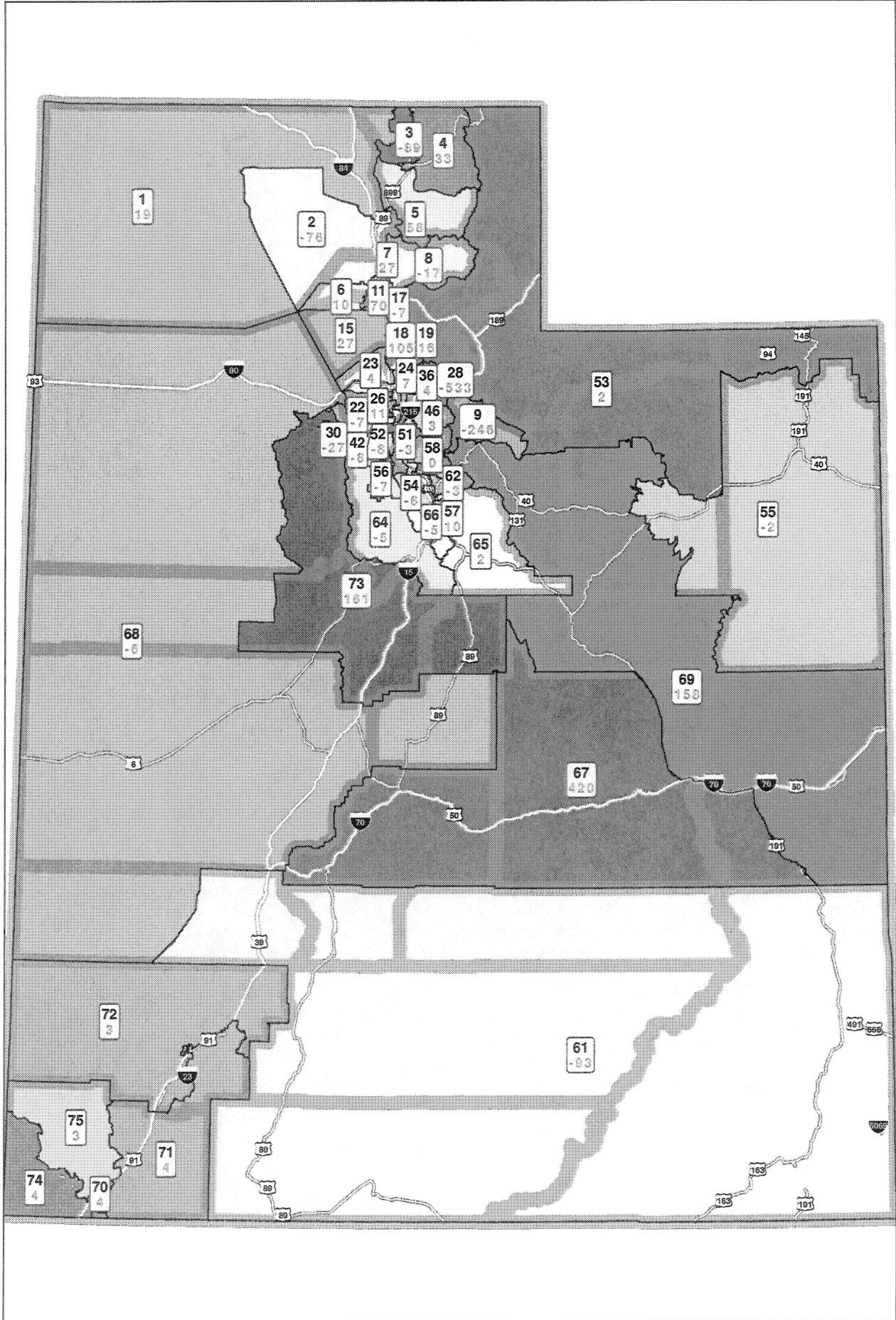
Kim

Kimberly A. Heiner
Legislative Secretary
Office of Legislative Research and General Counsel
801-538-1032

Committee Adopted House Base Map 09/12/11

Statewide

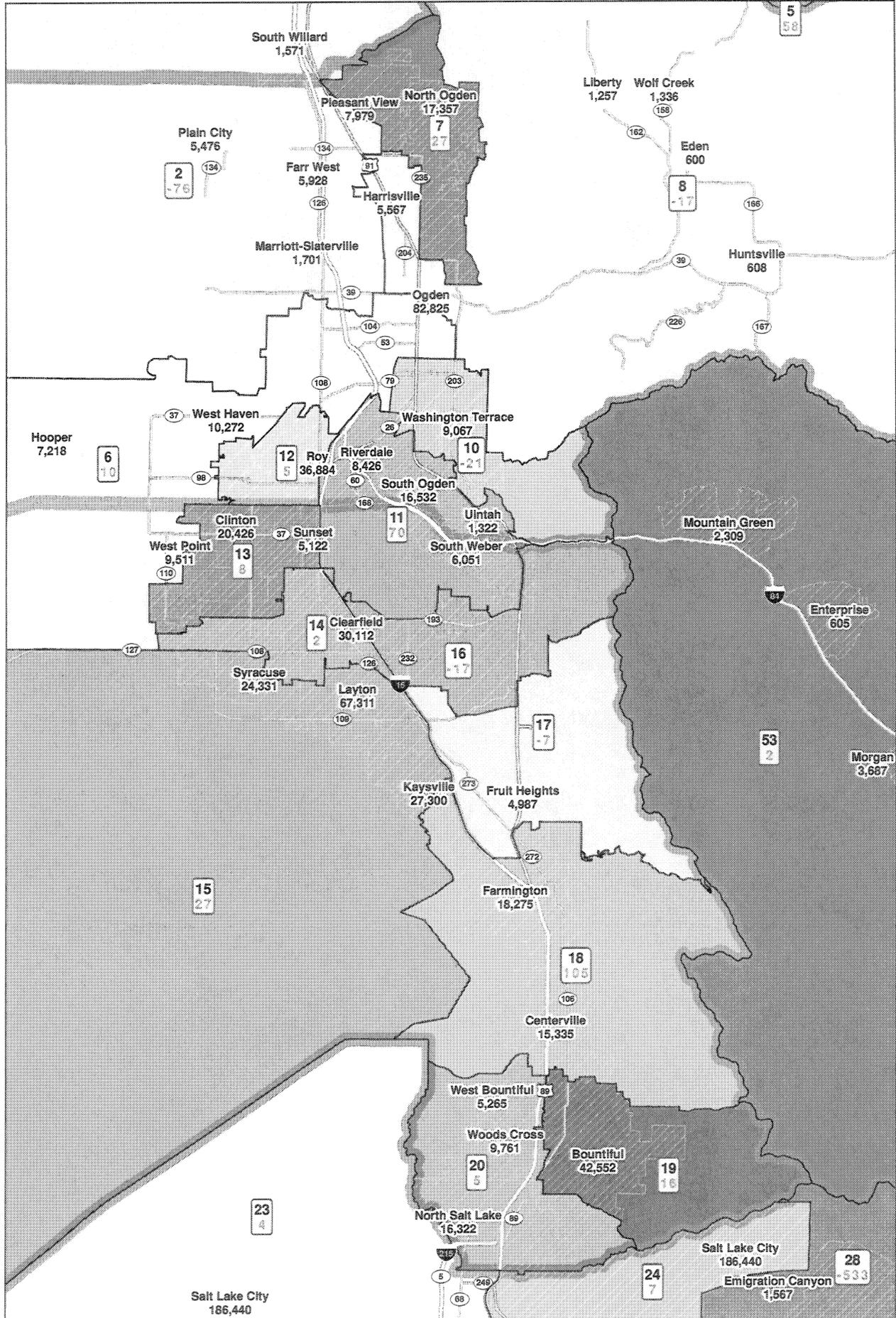
Note: The number below the district number is the deviation from the ideal population of 36,852.



Committee Adopted House Base Map 09/12/11

Weber and Davis County

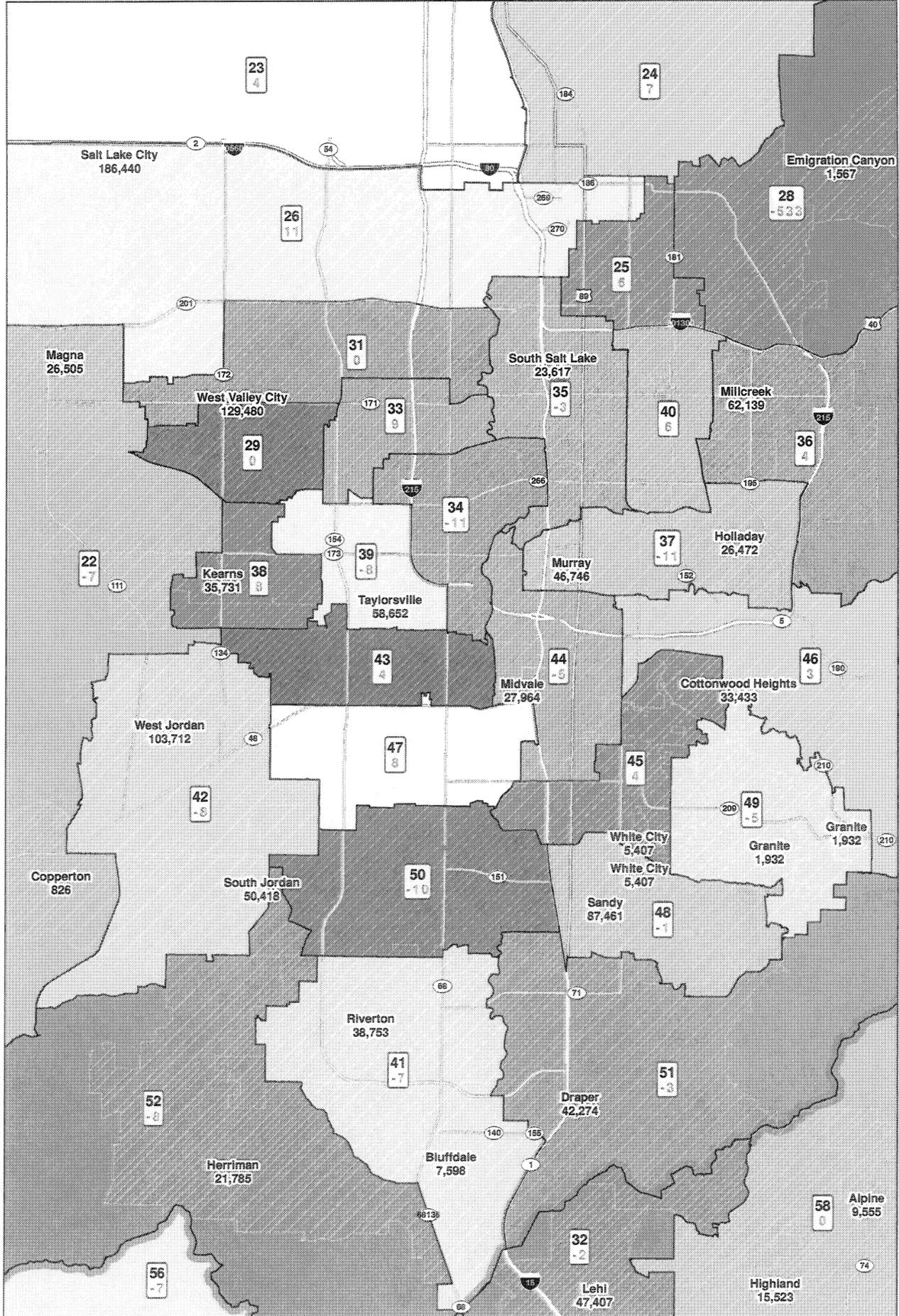
Note: The number below the district number is the deviation from the ideal population of 36,852.



Committee Adopted House Base Map 09/12/11

Salt Lake County

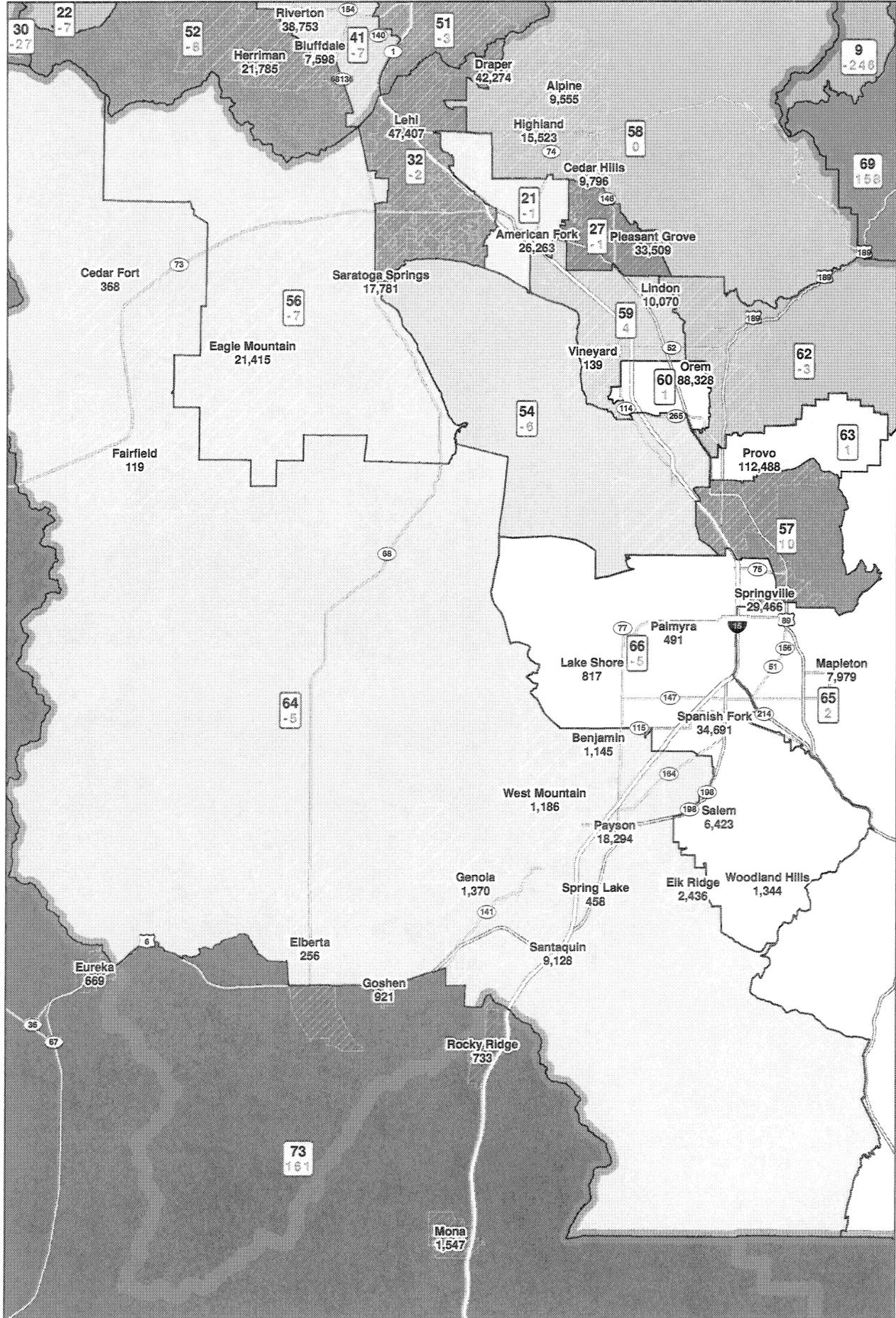
Note: The number below the district number is the deviation from the ideal population of 36,852.



Committee Adopted House Base Map 09/12/11

Utah County

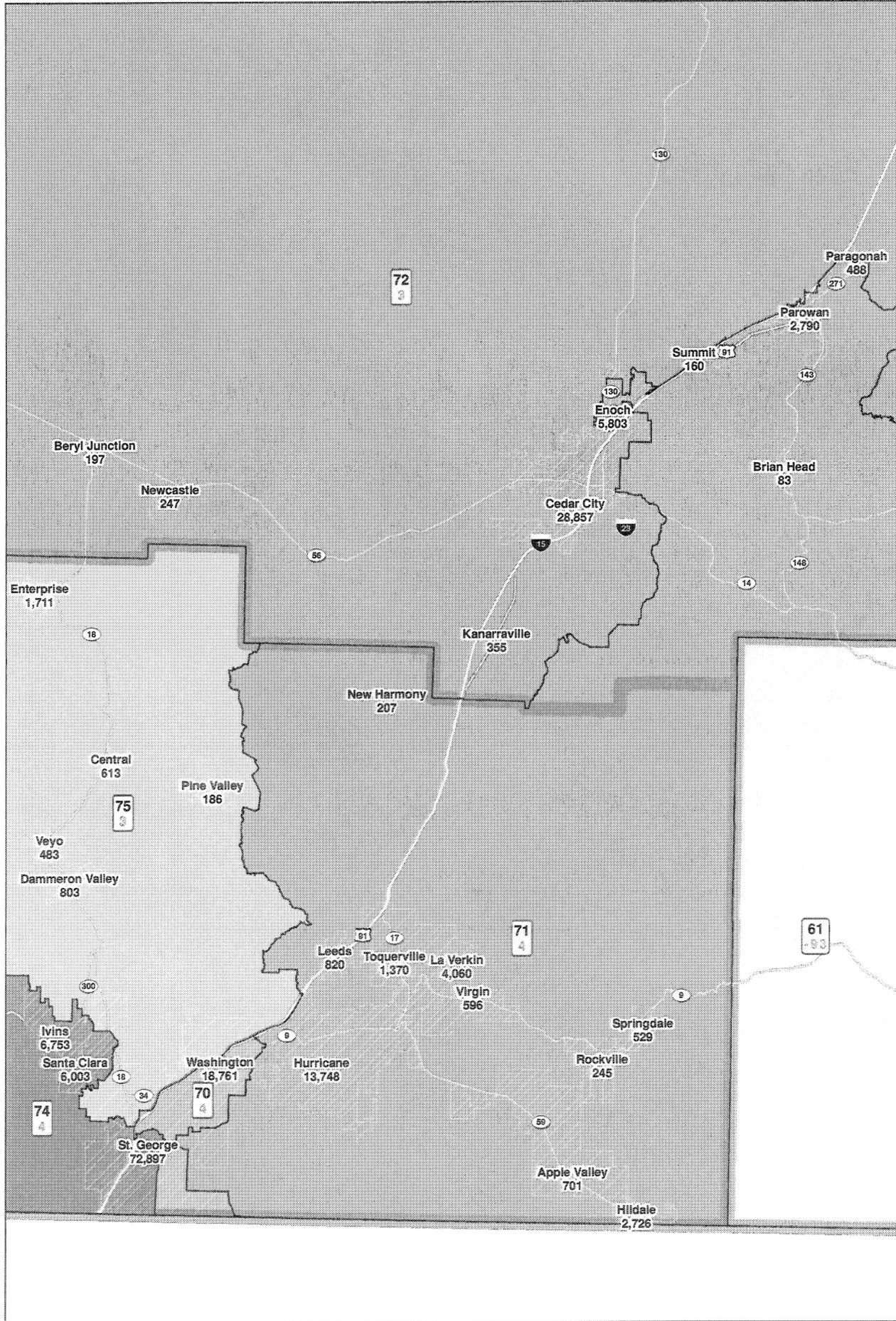
Note: The number below the district number is the deviation from the ideal population of 36,852.



Committee Adopted House Base Map 09/12/11

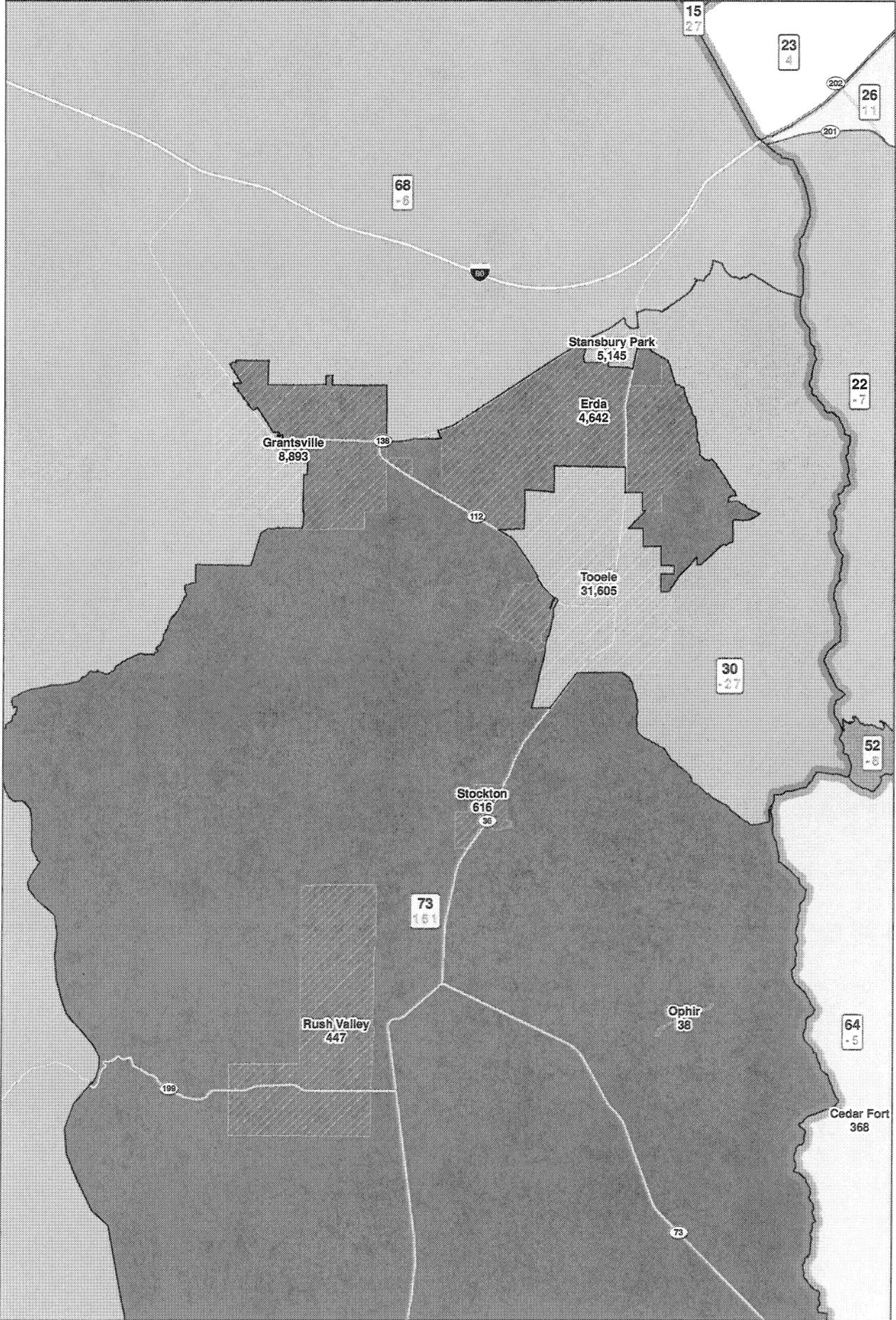
Washington and Iron County

Note: The number below the district number is the deviation from the ideal population of 36,852.



Committee Adopted House Base Map 09/12/11 Tooele County

Note: The number below the district number is the deviation from the ideal population of 36,852.



Redistrict Utah

Online Home of Utah's 2011 Redistricting Effort

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September 12, 2011

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Senate: Redistricting Committee Adopted "Senate Base Map 9/12/11"

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- Congress: Derrick Richins "layer c"
- Congress: Derrick Richins "compr"

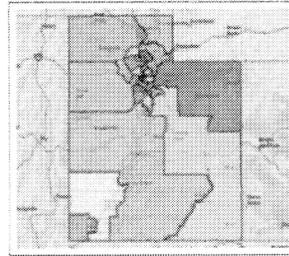
Archives

- February 2012
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The Redistricting Committee adopted a new State Senate base map at the September 12th meeting.

UPDATE: This map has been superseded by a new Senate base map, approved on September 27th. That map is linked here.

Please take a minute to look at the map and give us the benefit of your thoughtful input. Thank you!

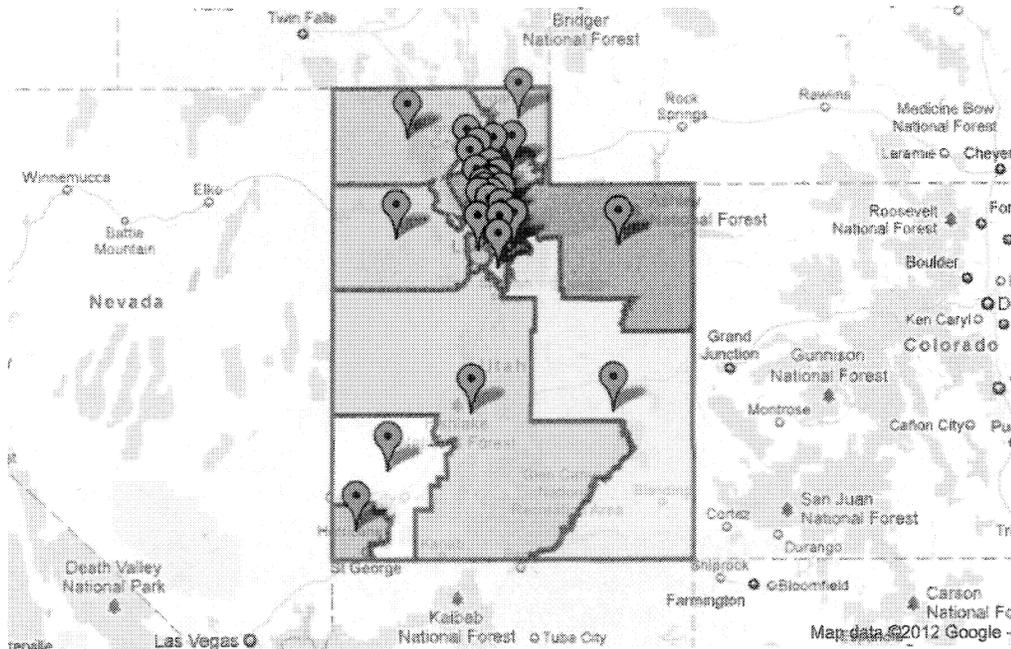


#UTredistricting
Utah Redistricting Tw

Deviation From Ideal Population

Largest District: 0.00% (3 persons)

Smallest District: 0.00% (3 persons)



Senate Base Plan 9/12/11 (KMZ File)

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redistrict, utah politics, utah senate

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Brad Bartholomew

Splitting the community of Rose Park in Salt Lake City and placing them with Davis County is ignoring all the citizens who showed up at the Rose Park redistricting meeting. This map shows that the committee did not listen or care about what the citizen input. This

map is proof that all of the public hearings were just a show. This is disappointing.



VIGGOE

Just when I thought it couldn't get any worse, this latest plan actually divides my little subdivision between 2 senate districts. My dead end street and the cross street are separated from the rest of the subdivision. Hopefully this can be fixed before it becomes final.



Mnelson

For the past year, including numerous public meetings, we have heard the redistricting committee talk about principles that would guide its decisions. This map demonstrates that, in the end, what trumps any principle is protection of incumbents. Drawing a line through the Great Salt Lake from Brigham City into Tooele County, around several other closer population centers in Weber and Davis Counties, just to provide enough voters to fill Sen. Knudsen's district is the very definition of "gerrymander." Then look at the crooked line extended around Sen. Thatcher's house in West Valley City to include him in the district that extends out to Wendover and Dugway. For the next ten years, you again effectively deny the seventh largest county in the state a resident senator. No, we are not "the center of the universe," but we expected and hoped for better than this.



David Edward Garber

Great concerns! Thank you for posting them. Whenever we show politicians that they can get away with things, they will. Let's maintain such pressure on them to live up to their alleged principles.



Robert Wren

The fact that you got it to + or - 3 people is irrelevant - I certain much of the population has already changed since the census. Community integrity is far more important than numbers. With the allowed 3% deviation flexibility more communities could remain intact.

I submitted a plan with 21 intact counties. Some of the county splits are UGLY

For example in districts containing Tooele and Wasatch, there are not even main roads to connect the opposite ends of the districts.



David Edward Garber

Agreed, Robert. Perhaps the allowed deviation in district population size is a bit too strict and I feel curious to know the reason for it. And, yes, the Tremonton-Erda connection makes no sense to me. In all of my proposals, I strove to extend districts along major transportation routes rather than across impassible natural terrain.



Marcy

I completely disagree with this "plan"! Besides all the small streets that will be literally split in half. You will be cutting communities in peices. We have little leagues in every sport as well as programs that will be completely distroyed . We can not allow this to happen. Sincerely a very scarred citizen.



R. Brent Guymon

In looking at this map it is very confusing. As a long time resident of Rose Park and and active in the political process I think that this whole idea of splitting up Rose Park is insane. I feel that it should be kept intact. Either it is split at the Davis county line or it splits at 600 N. Either way the best interset of this community is not being served. It is bad enough that this area has been kept out of the congressional configuratin of Salt Lake for years and now to split this area up is stupid. As a citizen I am stunned beyond belief at the stupidity of this redistricting committee. As a one that has been involved in politics for years on the grass roots level I am outraged to have my neighborhood split into 2 or 3 pieces. It makes no sense to have Rose Park involved in Davis County politics it is an insult to

the people of this community, no offense Davis County. We are better served by having representation in our own community. Make the dividing line at Davis County and leave Rose Park alone.



Michael Barnes

As a member of the Fairpark Community Council I find the idea perposed to split up the Rosepark area to be ludicrous has the issue involving the Rosepark Golf Course been considered ? if this proposal is adapted which City will be in control of said Golf Course and which City will receive the sales tax and which County will receive the property taxes collected. Has the effect of splitting up Community Councils ever been taken into account? to put it simply this is a bad idea. Michael Barnes at (michaelbarnes47@q.com.)



Cleo_1

I respectfully ask that the state senate base map be revised to "place west Provo in a state senate district with our sister Provo / Orem communities", not leave us disenfranchised in a rural district like we have been for the past 10 years.

West Provo has spent the last 10 years in a state senate district (Dist 13) that was divided from the rest of Provo, and if the current map prevails we will once again be disenfranchised from the rest of our Provo community. West Provo is slated to be placed into a southern Utah County state senate district that includes rural interests such as Benjamin, Elk Ridge, and West Mountain. We do not share many similarities with other cities in the new district, which will leave us struggling to have our voices heard among the many other interests within the new district.

The base map EAST Provo / Orem senate seat used to be encompassed fully within Utah County, but will now cross county lines. *Please shift the senate seats west so that the east seat is fully within Utah County and the west seat includes west Provo (also fully within Utah County). *

Provo/Orem are the heart and center of Utah County. Please keep Orem/Provo together and fully within Utah County so that our similar interests can be more fully represented in the state senate.



Drieslie99

I remember, even Becky Edwards (R) Davis County, saying, at our Westpointe CC redistricting meeting, that she didn't want to see the Westpointe CC district split in two. Exactly what you have done. It's like mixing a fruit salad with dry dog food. They just don't fit together.

I, personally, have been disenfranchised.

Leslie Reynolds-Benns



Helge Moulding

Yep, I kinda thought we're still in the gerrymandering game. Nice of the committee not to disappoint me.

Sarcasm aside, I know all y'all have rationalized your behavior to yourselves. However, you're not doing us any favors. We would like to think we'll get fair representation in the lege, but these kinds of shenanigans are only going to satisfy the party partisans. Some of you I know personally, so I'll tell you: I'm very disappointed.



Cleo_1

WOW, why does one Provo district (is that Senate Dist 16?) go clear out to Wallsburg to the east, while leaving west Provo cut out of our community? West Provo has been disenfranchised from the Provo/Orem senate seats for the last 10 years - it's time to put us back with the rest of our community. Those districts should all be shifted west so that west Provo is finally districted back in.



David Edward Garber

Is Utah's state legislature harboring a weird longstanding grudge against Tooeleians? What is it about Tooele County that, whenever redistricting committee members' hands get near it on some map, they start to draw erratic district boundaries that make little sense? Is there a cure? Will it be discovered in time?



David Edward Garber

I like many parts of this proposal about as well as my own final one—some better and some worse. I find few obvious objections to it, except for the Tooele-Erda-Magna-Bingham area insanity. Erda doesn't belong with Box Elder County—it belongs with Tooele, whereas Bingham Canyon does not. Please rethink these divisions. Also, Antelope Island belongs with Syracuse more than with Farmington.



Jerry

This map is and its concept is unusable, we need an districts to bring voters together.



Jvett1

I am curious as to why Rose Park is divided. If "unfair" or "abuse of power" had a picture then I think this new map would be a great picture to represent those ugly words.



livia h

WHENS THE NEXT MEETING?! IVE NOT HEARD OF ANYTHING!!!



Christopher McClelland

livia h,
The next meeting is on the 22nd of September. It will be held in House Building room 30 (on Capitol Hill). For more information, go to the meetings page ([http://www.redistrictutah.com/...](http://www.redistrictutah.com/))

Chris (Legislative Staff)



LLA2

umm where is the color key???



Curtis Haring

I love how you are splitting Rose Park for two redistricting sessions in a row. Same can be said of Tooele as well. Ogden looks interesting too.

Yes, making districts is hard, but it looks like you are punishing those who already feel disfranchised with the system.



LouisStephenson22

There's district lines going right though the middle of West Valley, Glendale, and Rose Park...And Im not talking 'kind of' in the Middle,

Literally Right down the middle of all the different cities on the West Side...Way to Go Council on dividing the Liberal vote, Gerrymandering at its finest.

I hope the incumbents feel as protected, as I feel helpless in this situation...



sanpeteman

Chris, Any idea when the House map will be posted?



John John

What's up with putting part of Tooele into the Box Elder County district? Try again, please.



David Edward Garber

This makes no sense to me, either. I did my best to avoid such irrational boundaries in all of my proposals. I think that it's better to extend districts along major transportation routes than across impassible natural terrain.



Nancy Peterson

Please redraw the north-west boundary of senate district 23 to include Centerville WEST of main street rather than east only.

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Reactions



Show more reactions

Utah Constitution, Article IX, Section 1

"No later than the annual general session next following the Legislature's receipt of the results of an enumeration made by the authority of the United States, the Legislature shall divide the state into congressional, legislative, and other districts accordingly."

Pages

- 2011 Redistricting Committee
- Historic 2001 Information
- Utah Legislative Sites

Search

From: Brad Dee
To:
Date: 10/10/2011 7:45:26 PM
Subject: Re: looking for information

The only website I know of is Redistrictutah.com do you have a question on your district or Weber County? I have seen all the maps and might be of help.

Sent from my Android phone on T-Mobile. America's first nationwide 4G network.

----- Reply message -----

From: "Nelson Brown "
To: "Brad Dee"
Subject: looking for information
Date: Mon, Oct 10, 2011 5:19 pm

>>> "Nelson Brown " 2011-10-10T17:20:06.519074 >>>
Brad,

Is there a website that lists the precincts within each legislative district as newly drawn? It's difficult to tell the boundaries from the maps.

Thank you for your help,

Nelson

From: Brad Dee
To:
Date: 10/11/2011 9:38:22 AM
Subject: Re: call it a hobby

Sumsion 14 is the new congress map we are now looking at.

Sent from my Android phone on T-Mobile. America's first nationwide 4G network.

----- Reply message -----

From: "Nelson Brown "
To: "Brad Dee"
Subject: call it a hobby
Date: Tue, Oct 11, 2011 6:22 am

>>> "Nelson Brown " 2011-10-11T06:22:59.154528 >>>
Brad,

Because Parkinson's keeps my mobility limited, I busy myself with projects on my computer. It's better than watching television all day. I have been trying to determine which precincts are in each of the redrawn legislative districts. With that knowledge I can better determine the boundaries of the districts and the congressional districts. Call it an exercise for my mind.

Thank you again for your help,

Nelson

From: Brad Dee
To:
Date: 10/19/2011 7:15:04 PM
Subject: Re: Congressional Redistricting Maps

Would love to discuss this with you. Send me your phone number and I will call you.

Sent from my Android phone on T-Mobile. America's first nationwide 4G network.

----- Reply message -----

From: "Gary Boatright "
To: "Brad Dee"
Subject: Congressional Redistricting Maps
Date: Mon, Oct 17, 2011 2:51 pm

>>> "Gary Boatright " 2011-10-17T14:51:42.800336 >>>

Representative Dee,

I just looked at the most recent congressional map and I am still flabbergasted how out of touch government leaders are with their constituents. Please quit the gerrymandering of congressional maps. It is clear your focus and that of the Republican Party is to oust Congressman Matheson. Put aside political differences and create a map that divides Utah appropriately and will allow for congressmen to represent people of similar types, backgrounds, and needs: Salt Lake County should be one district.

Step up to the plate and show some leadership. Look past party lines and do what is best for all of Utah.

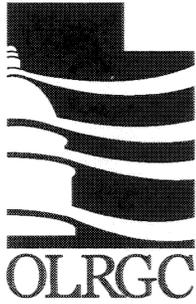
Gary Boatright Jr.
Riverdale, Utah

From: Chelsea Lloyd
To: Chelsea Lloyd
BC: Brad Dee
Date: 9/23/2011 1:07:20 PM
Subject: September Interim Highlights Newsletter
Attachments: [September 2011.pdf](#)

Dear Legislator,

Attached is the September Interim Highlights Newsletter. Prior editions of the newsletter can be found at <http://le.utah.gov/Documents/InterimHighlights.htm>. A copy of the newsletter is also being mailed to you.

Chelsea B. Lloyd
Legislative Secretary
Office of Legislative Research & General Counsel
(801) 538-1032



INTERIM HIGHLIGHTS

Office of Legislative Research and General Counsel
House Building, Suite W210 • Salt Lake City, Utah 84114 • (801) 538-1032

LEGISLATIVE INTERIM MEETINGS

Meetings were held September 21, 2011 or as noted.

Administrative Rules Review Committee

September 13, 2011

Utah Indoor Clean Air Act

Discussed whether the smoking of hookah pipes in public establishments violates recent changes made to the administrative rules written to implement the Utah Indoor Clean Air Act.

Action: Voted unanimously to send a letter to the Utah Department of Health and to all of Utah's local health departments requesting that the Department of Health suspend enforcement of the recent administrative rules changes that implement the Utah Indoor Clean Air Act until after the Legislature clarifies the act to address concerns raised regarding the smoking of hookah pipes in public establishments. The letter would also request that Utah's local health departments suspend enforcement of the recent administrative rule changes until after the Legislature is able to make a statutory clarification.

Chairs: Rep. Curtis Oda / Sen. Howard A. Stephenson

Staff: Art L. Hunsaker (Policy Analyst) / Susan Creager Allred (Attorney) / Tracey Fredman (Secretary)

Business and Labor

Medical Spas

Received a staff presentation and public testimony regarding the operation and licensing of "medical spas." Information on supervision by physicians of persons who operate laser equipment for cosmetic purposes was also provided.

Prevailing Wages

Discussed how a prevailing wage law would work in conjunction with a state guest worker program.

Sunset Review - Motor Fuel Marketing Act

Action: Voted to reauthorize the Motor Fuel Marketing Act for an additional five years.

Weatherization Programs

Received a presentation from the Utah Weatherization Training Center. This center provides training to community-based agencies that provide services to low income families. The center trains construction trade workers on how to improve the energy efficiency of a residence by improving insulation and by constructing effective barriers to outside air.

(Continued next column)

Wine Tasting

Discussed a proposal to allow a licensed industry representative to provide samples of the representative's product to potential customers.

Workers Compensation for Unincorporated Entities

Action: Approved as a committee bill, "Workers' Compensation and Unincorporated Entities Amendments." The draft legislation addresses workers' compensation coverage requirements for unincorporated entities.

Chairs: Rep. James A. Dunnigan / Sen. John L. Valentine

Staff: Bryant R. Howe (Assistant Director) / Patricia Owen (Attorney) / Robert H. Rees (Attorney) / Jennifer K. Christopherson (Secretary)

Education

Education Governance

Received a presentation from a legislator on how public and higher education could be restructured. This proposal includes the possibility of creating a single education department that would have governance authority over both public and higher education. The governor would have increased authority and oversight.

High School Graduation Rates

Received a report from the State Office of Education on how graduation rates are calculated by various entities and why there are discrepancies in the reported rates.

School Grading

Received a status report from the State Office of Education on the implementation of S.B. 59, "School Grading System" (2011 General Session), which requires the State Board of Education (SBOE) to develop a system to annually assign each school an A, B, C, D, or F grade. During this first year of implementation, the SBOE is modeling the school grading system and looking at factors, including student proficiency and growth.

Utah Futures Steering Committee

Received a status report from the Utah Futures Steering Committee (UFSC), which the governor established by executive order to improve the effectiveness of the education and career-planning website, www.utahfutures.org. The UFSC is collecting and analyzing data.

(Continued next page)

IN THIS ISSUE:

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Page 3 Legislative Management Committee

Utah Schools Data Portal

Received a demonstration from the State Office of Education on a website allowing the public to access data, view a school's performance report and its demographic profile, and also compare public schools on multiple indices.

Utah Schools for the Deaf and the Blind

Received a report from the Utah Schools for the Deaf and the Blind, including data regarding student enrollment, participation in assessments, and achievement.

Chairs: Rep. Bill Wright / Sen. Howard A. Stephenson

Staff: Allison M. Nicholson (Policy Analyst) / Constance C. Steffen (Policy Analyst) / Angela Oakes Stallings (Attorney) / Debra Hale (Secretary)

Government Operations and Political Subdivisions

Definition of Countywide Services

Received a request from the Utah Association of Counties (UAC) for statutory clarification on which public services constitute countywide services. The Committee requested that UAC and the League of Cities and Towns prepare separate lists of public services that counties and cities should provide and present them in the October meeting.

Draft Legislation, "Election Law Amendments"

Discussed draft legislation, "Election Law Amendments," which makes several technical changes to the state's election law. The Committee requested additional drafting changes and directed that they be prepared for the October meeting.

Draft Legislation, "Voter Information Pamphlets"

Discussed draft legislation, "Voter Information Pamphlets," which makes mailing a voter information pamphlet optional in certain circumstances, and authorizes a notice of the website on which a voter information pamphlet is published and the phone number to call to request a voter information pamphlet by mail. The Committee requested that voter information pamphlet deadlines be added to the draft for discussion at a future meeting.

State Agency Consolidation

Received an update from a legislator on efforts to prepare legislation to consolidate the functions of several departments of state government.

Chairs: Sen. Peter C. Knudson / Rep. Craig Powell / Rep. R. Curt Webb

Staff: Art L. Hunsaker (Policy Analyst) / Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Emily R. Brown (Attorney) / Wendy Bangarter (Secretary)

Health and Human Services

Prescription Drug Abuse

Received a report from the Utah Department of Health on the Drug Overdose Mortality Survey. The report stated that the reduction in prescription drug overdose deaths has been the result of a media campaign, increased prescriber education, the development of prescribing guidelines, and research. The Committee also received reports from the Utah Pharmaceutical Drug Crime Project and the Utah Commission on Criminal and Juvenile Justice.

(Continued next column)

University of Utah Health Care

Met at the University Hospital and received a briefing by University of Utah Health Care on the role it plays in Utah's health care system. Discussed medical education, health disparities, and Utah Science and Technology and Research innovation. The Committee toured the hospital's emergency department and AirMed operation.

Chairs: Rep. Paul Ray / Sen. Allen M. Christensen

Staff: Mark D. Andrews (Policy Analyst) / RuthAnne Frost (Attorney) / Cathy J. Dupont (Attorney) / Kimberly A. Heiner (Secretary)

Health System Reform Task Force

Dental Care

Received a presentation from the nation's largest dental insurance carrier, who proposed that the state allow dental benefits to be offered within the Utah Health Exchange in 2012 or 2013, one or two years before they must be offered in an exchange under the federal Affordable Care Act.

Federal Health Care Reform

Received reports from legislators who have been meeting with, and making recommendations to, federal officials and others concerning the development of federal rules to implement the 2010 Affordable Care Act.

Action: Approved a draft letter from the Task Force to the federal Department of Health and Human Services outlining three areas of concern regarding proposed federal rules that address implementation of health insurance exchanges under the federal Affordable Care Act.

Payment and Delivery Reform Demonstration Projects

Received reports from HealthInsight and a pediatrician on the progress of three health care payment and delivery reform demonstration projects. The pediatric medical home project is still moving forward, but the diabetes and pregnancy/delivery projects are no longer considered as relevant as they once were and are not moving forward.

Chairs: Rep. James A. Dunnigan / Sen. Wayne L. Niederhauser

Staff: Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Attorney) / Wendy Bangarter (Secretary)

Judiciary, Law Enforcement, and Criminal Justice

Amount and Use of Concealed Weapons Fees

Received a report from the Bureau of Criminal Identification (BCI) regarding the amount and use of fees collected for concealed weapons permits. BCI reported that total applications for the calendar year 2010 were slightly lower than those received in 2009, but were significantly higher than prior calendar years. Additionally, BCI reported that permit revocations in 2011 through August are significantly higher than total revocations in 2010.

(Continued next page)

Forfeited Property Report

Received a report from the Commission on Criminal and Juvenile Justice regarding the \$1.9 million of federal seizures and forfeitures received by Utah agencies from July 2010 through June 2011, and how those funds were distributed.

Involuntary Civil Commitment

Discussed amending the process for civil commitments by modifying the Substance Abuse and Mental Health Act to include harmful sexual conduct by mentally ill persons as grounds for civil commitment.

Kidnap Offender Registry Amendments

Discussed draft legislation, "Kidnapping Offender Amendments," that would provide a procedure for a person on the Sex Offender and Kidnap Offender Registry to petition the court for removal from the registry if the person was convicted of kidnapping (Utah Code Section 76-5-301) or unlawful detention (Utah Code Section 76-5-304), and meets specified requirements.

Sex Offender Registry Amendments

Action: Adopted as a committee bill, "Sex Offender Registry Review," which would amend the Sex Offender and Kidnap Offender Registry to allow a person who is required to register as a sex offender to petition the court for removal from the registry after five years if the person was convicted of specified offenses and has met specified requirements.

Use of Criminal Surcharges and Fines Report

Received the final report from the Commission on Criminal and Juvenile Justice regarding the \$19.9 million in surcharges and fines that were collected and the distribution of those funds to state agencies.

Chairs: Sen. Mark B. Madsen / Rep. Curtis Oda / Rep. Kay L. McCliff

Staff: Jerry D. Howe (Policy Analyst) / Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Attorney) / Esther Chelsea-McCarty (Attorney) / Jennifer K. Christopherson (Secretary)

Legislative Information Technology Steering Committee

August 23, 2011

Streaming of Legislative Meetings

Action: Recommended issuance of a request for proposal for streaming audio and video services within the Legislature.

Voting Systems

Received demonstrations from International Roll Call and a system built by Utah legislative staff on the voting systems in the House and Senate chambers.

Action: Recommended that the Legislature adopt the voting system designed by Utah legislative staff.

Cloud-Based Email Solution

Action: Recommended issuance of a request for proposal on cloud-based email solutions that are compatible with various mobile devices.

Chairs: Rep. John Dougall / Sen. Curtis S. Bramble

Staff: Thomas R. Vaughn (Attorney) / Mark J. Allred (IT Manager) / Chelsea B. Lloyd (Secretary)

Legislative Management Committee

September 20, 2011

Action: Approved the following:

- *The Business, Economic Development, and Labor Appropriations Subcommittee request to hold two meetings: the first on Tuesday, October 11, 2011, and the second on Tuesday, November 8, 2011. Also approved the agendas for those meetings.*
- *The Infrastructure and General Government Appropriations Subcommittee request to hold two meetings on Thursday and Friday, October 20-21, 2011. Also approved the agendas for those meetings.*
- *The Public Education Appropriations Subcommittee request to hold two meetings: the first on Tuesday, October 11, 2011 and the second on Wednesday, November 9, 2011. Also approved the agendas for those meetings.*
- *The Natural Resources, Agriculture, and Environment Interim Committee request to study the Utah Lands Protection Act.*
- *The Workforce Services and Community and Economic Development Interim Committee request to study "health insurance for school districts."*
- *The "general concept" of the Division of Facilities and Construction Management signing a long-term lease agreement with Uintah County to house state artifacts in a new Vernal Curatorial Facility. The funding for the lease payments would come from the Uintah Impact Mitigation Special Service District and the operation and maintenance cost would be paid for by Division of Parks and Recreation.*
- *The Legislative Information Technology Steering Committee requests to:*

- *Adopt the in-house voting system developed by legislative staff as the official voting technology for the Utah Legislature.*
- *Issue a Request for Proposal (RFP) for streaming audio and video capabilities, with the intention of outsourcing the project to non-legislative staff, for implementation before the 2012 General Session.*
- *Issue an RFP for a cloud-based email solution that is compatible with multiple mobile devices.*

Chairs: President Michael G. Waddoups / Speaker Rebecca D. Lockhart

Staff: Michael E. Christensen (Director) / John L. Fellows (General Counsel) / Phalin L. Flowers (Administrative Assistant)

Native American Legislative Liaison Committee

August 30, 2011

Meeting With Tribal Leaders

Met with tribes, received comments, heard from state agencies, and discussed issues of importance to tribes, tribal members, and the Committee. The discussion focused on issues relating to veterans, environmental issues including air

(Continued next page)

quality and water quality, energy, housing and weatherization, transportation, health, and broadband and other telecommunication issues.

Staff: John Q. Cannon (Managing Policy Analyst) / Patricia Owen (Attorney) / Wendy Bangerter (Secretary)

Natural Resources, Agriculture, and Environment

Department of Environmental Quality - Board Adjudicative Proceedings

Discussed potential legislation that would modify requirements and procedures when a party challenges an initial order relating to a permit, plan, license, or approval order made under the Environmental Quality Code.

Energy Producer States' Agreement

Received a report on the activities of the legislators appointed to create an energy producer states' agreement under Utah Code Section 36-12-20. The legislators worked with legislators from other energy producing states to develop plans of action with the goal of strengthening states' common energy voice, opposing over-reaching regulations, and increasing domestic energy production.

Predator Control

Received a report from the Department of Agriculture and Food, the Division of Wildlife Resources, and the State Director, United States Department of Agriculture-Federal Wildlife Services Program, on current activities and challenges in controlling livestock predators in Utah.

State Energy Advisor Report and Review of State Energy Policy

Received a report from the State Energy Advisor on the status and development of the state's energy resources. The governor has a multi-point plan for ensuring access to energy resources which is in the "2011 Energy Initiative & Imperatives: Utah's 10-Year Strategic Energy Plan," which was provided to the Committee. The Committee reviewed state energy policy and received a report on the newly created Office of Energy Development.

Sunset Review - Section 36-12-20, Development of Energy Producer States' Agreement

Action: Voted to recommend that Utah Code Section 36-12-20, Development of Energy Producer States' Agreement, be repealed on June 30, 2012.

Sunset Review - Title 19, Chapter 3, Radiation Control Act

Received a report from the Division of Radiation Control on the need of the Radiation Control Act. The division reviewed licensing and registering radioactive materials and x-ray systems, regulation of low-level radioactive waste, and activities of the Radiation Control Board.

Action: Voted to recommend that the Radiation Control Act be reauthorized for an additional 10 years.

Chairs: Rep. Roger E. Barrus / Sen. Ralph Okerlund
Staff: J Brian Allred (Policy Analyst) / Tracy J. Nuttall (Attorney) / Kimberly A. Heiner (Secretary)

Public Utilities and Technology

Electronic Charter School Board Meetings

Discussed the successful trial implementation of electronic charter school board meetings in 2011.

Action: Voted to draft a committee bill that would broaden the use of electronic school board meetings.

Energy Tax Incentives

Discussed the need to develop Utah's energy resources and how states such as Texas, Pennsylvania, North Dakota, and South Dakota have capitalized on their energy resources.

Green Jobs

Received presentations from traditional power and "green" power providers about the value of green jobs, which are derived from renewable electric power production such as wind and solar.

Utah Energy Advisor Report

Received a presentation from the Governor's Energy Advisor about the status of energy consumption, production, and costs in Utah, which has the fifth lowest cost in the nation at 8.7 cents per kilowatt hour. She indicated that the governor has a multi-point plan for access to energy resources, which is in the "2011 Energy Initiative & Imperatives: Utah's 10-Year Strategic Energy Plan," which was provided to the Committee.

Chairs: Rep. Michael E. Noel / Sen. J. Stuart Adams
Staff: Richard C. North (Policy Analyst) / Robert H. Rees (Attorney) / Tracey Fredman (Secretary)

Redistricting Committee

July 26 (Vernal and Park City), August 19, August 22,
September 7, September 12, and September 22
(State Capitol Complex)

Public Hearings

Completed the last two public hearings in Vernal and Park City to:

- gather public input on boundaries for congressional, legislative, and state school board districts;
- equalize the population in all districts; and
- ensure equal representation throughout the state.

The August 19 and 22 meetings were dedicated to reviewing redistricting plans submitted by the public on RedistrictUtah.com. A base school board map was adopted at the August 22 meeting. A modified base school board map was adopted at the September 7 meeting. Base Senate and House maps were adopted at the September 12 meeting.

Chairs: Rep. Kenneth W. Sumsion / Sen. Ralph Okerlund
Staff: J Brian Allred (Policy Analyst) / Benjamin N. Christensen (Policy Analyst) / Art L. Hunsaker (Policy Analyst) / Allison M. Nicholson (Policy Analyst) / John Q. Cannon (Managing Policy Analyst) / Jerry D. Howe (Policy Analyst) / Leif G. Elder (Policy Analyst) / Mark D. Andrews (Policy Analyst) / Phillip V. Dean (Policy Analyst) / Richard C. North (Policy Analyst) / Joseph T. Wade (Policy Analyst) / Angela Oakes Stallings (Attorney) / Emily R. Brown (Attorney) / Eric N. Weeks (Deputy General Counsel) / John L. Fellows (General Counsel) / Kimberly A. Heiner (Secretary)

Retirement and Independent Entities

Overview - Retirement and Independent Entities

Received an overview from committee staff on retirement changes and the functions of the Retirement and Independent Entities Committee. After study by the Committee, the Legislature passed significant retirement reforms during the 2010 General Session. The changes affect retirement benefits for new employees and for employees who wish to return to work after retirement.

Retirement Contribution Rates

Received a presentation from the Utah Retirement Systems on the proposed retirement contributions for fiscal year 2013. Contribution rates are based on actuarial projections, and are the percentage of an employee's salary that a participating employer must pay to the Retirement Fund for each eligible employee. For FY 2013, the contribution rate in the Public Employees Noncontributory System for state and school employees is recommended at 18.76 percent, up from the 16.86 percent for FY 2012 by 1.90 percent of salary.

Chairs: Rep. Don L. Ipson / Sen. Daniel R. Liljenquist

Staff: Benjamin N. Christensen (Policy Analyst) / Shannon C. Halverson (Attorney) / Cathy J. Dupont (Attorney) / Debra Hale (Secretary)

Revenue and Taxation

Income Tax Credits

Examined income tax credits for research and development and recycling market development zones.

Action: *Voted to draft a committee bill extending the sunset date for recycling market development zone tax credits.*

Local Sales and Use Tax

Discussed local sales and use taxes, including the impacts of sales tax exemptions and sourcing provisions enacted in recent years.

Action: *Voted to draft a committee bill requiring the Community Impact Board to forgive all, or a substantial portion, of a bond to be repaid by a city to the Permanent Community Impact Fund.*

Property Tax

Discussed increasing a property tax exemption for personal property, including estimates of tax shifts that may occur.

Sales & Use Tax - Streamlined Sales Tax

Discussed sales and use tax provisions relating to computer software.

Water Project Financing

Received a presentation on water project financing, including estimated project costs and funding sources.

Chairs: Rep. Patrick Painter / Sen. Curtis S. Bramble

Staff: Bryant R. Howe (Assistant Director) / Phillip V. Dean (Policy Analyst) / Rebecca L. Rockwell (Attorney) / Chelsea B. Lloyd (Secretary)

Transportation

Driving Under the Influence

Action: *Approved as a committee bill, "Amendments to Driver License Suspension for Driving Under the Influence Offenses," which makes a technical correction.*

Federal Highway Program Update

Received an update from the Department of Transportation on federal highway funding. Future funding has been authorized but has not yet been appropriated.

Utah Transit Authority

Received a presentation from the Office of the Legislative Auditor General of "A Limited Review of Conflict of Interest Allegations at the Utah Transit Authority Board."

The Committee also received an update from UTA on current construction and transit projects, including progress on future TRAX lines and Transit Oriented Developments.

Chairs: Rep. Bradley M. Daw / Sen. Kevin T. Van Tassell

Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Tracey Fredman (Secretary)

Utah International Relations and Trade Commission

September 22, 2011

Economic Impact of Utah Exports

Received a report from the Utah Bureau of Economic and Business Research on a study examining the economic impact of Utah exports. From 2007 through 2010, the impact of exports of non-gold commodities on Utah's gross state product grew from \$4.4 billion to \$5.9 billion, an increase of 33.2 percent.

Impact of International Students on Utah's Economy

Received a report from the Utah World Trade Center on the impact of international students on the Utah economy. In the 2009-10 school year, more than 7,500 foreign students attended higher education institutions in Utah, resulting in a net contribution of greater than \$145 million.

International Trade

Received a report from the Governor's International Trade and Diplomacy Office on activities to promote international trade, including trade missions to China and Canada.

Chairs: Rep. Eric K. Hutchings / Sen. Mark B. Madsen

Staff: Richard C. North (Policy Analyst) / Peter Asplund (Attorney) / Debra Hale (Secretary)

Water Issues Task Force

August 24, 2011

Water Use Issues

Discussed language to modify existing law regarding nonprofit mutual benefit corporations. Also discussed project delivery and general financing options for the Lake Powell Pipeline project. Discussed the need to consolidate legislative committees studying water issues and streamline efforts to formulate water policy.

September 20, 2011

Water Development Financing

Received a report on the Water Issues Task Force's presentation to the Executive Appropriations Committee. The Task Force also discussed public-private partnerships as an alternative project delivery method for the Lake Powell pipeline development project. The Office of the State Treasurer discussed constitutional bonding limits and the potential impact of using the public-private partnership alternative on the state's credit rating.

Action: Voted to recommend draft legislation, "State Water Development Commission Amendments."

Chairs: Rep. Patrick Painter / Sen. Peter C. Knudson

Staff: J Brian Allred (Policy Analyst) / Nathan W. Brady (Policy Analyst) / Tracy J. Nuttall (Attorney) / Wendy Bangertter (Secretary)

Workforce Services and Community and Economic Development

Breaking the Cycle of Generational Poverty

Received presentations on breaking the cycle of generational welfare from a University of Utah professor in social work, the Department of Workforce Services, and the Road Home, a private, non-profit social service organization.

State Contracts for Purchases from a Community Rehabilitation Program

Received a presentation on community rehabilitation programs from Utah Works and a community rehabilitation center. The centers provide employment and training of persons with a disability. Through an exception in the Procurement Code, a public agency must purchase goods and services produced by a community rehabilitation program under certain conditions.

Action: Voted to open a bill file to address possible changes to the provisions regarding state purchases from a community rehabilitation program.

Chairs: Rep. Jim Bird / Sen. Stuart C. Reid

Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Attorney) / Robert H. Rees (Attorney) / Debra Hale (Secretary)

Next Interim Day—October 19, 2011

Office of Legislative Research and General Counsel

Editors: Susan Creager Allred & Nathan W. Brady

Utah State Legislature's website at: le.utah.gov

For more information about legislative activities, visit the

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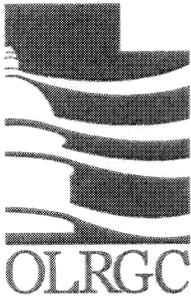
Kay McIff - October Interim Highlights

From: Chelsea Lloyd
To: Lloyd, Chelsea
Date: 10/21/2011 12:08 PM
Subject: October Interim Highlights
Attachments: October 2011 Final.pdf

Dear Legislator,

Attached is the October Interim Highlights Newsletter. Prior editions of the newsletter can be found at <http://le.utah.gov/Documents/InterimHighlights.htm>. A copy of the newsletter is also being mailed to you.

Chelsea B. Lloyd
Legislative Secretary
Office of Legislative Research & General Counsel
(801) 538-1032



INTERIM HIGHLIGHTS

Office of Legislative Research and General Counsel
House Building, Suite W210 • Salt Lake City, Utah 84114 • (801) 538-1032

LEGISLATIVE INTERIM MEETINGS
Meetings were held October 19, 2011 or as noted.

Administrative Rules Review Committee

October 6, 2011

License Plate Scanning — Length of Data Storage

Discussed how the Utah Division of Motor Vehicles and state and local law enforcement agencies utilize technology to scan license plates and the protocols for storing the data.

Reporting Requirements for Nursing Homes and Assisted Living Facilities

Received an update from the Division of Aging and Adult Services regarding its revision of abuse reporting requirements for adult facilities.

Action: Voted to send a letter to the Health and Human Services Interim Committee chairs, advising that changes are likely needed to existing law related to abuse reporting in adult assisted living facilities and requesting committee study of these changes prior to the 2012 General Session.

Wording of Charter School Agreements

Discussed the draft revisions to the Charter School Agreement that is entered into between each proposed charter school and the Utah Charter School Board.

*Chairs: Rep. Curtis Oda / Sen. Howard A. Stephenson
Staff: Art L. Hunsaker (Policy Analyst) / Susan Creager Allred (Attorney) / Tracey Fredman (Secretary)*

Business and Labor

State Building Code and State Fire Prevention Code Amendments

Received reports from the Uniform Building Code Commission regarding proposed changes to the state building code and from the Utah State Fire Prevention Board regarding proposed changes to the state fire prevention board.

Action: Directed staff to draft legislation incorporating the proposed changes.

Audit — Department of Alcoholic Beverage Control

Received a report from the Office of the Legislative Auditor General titled "A Review of Allegations Regarding the Management of the DABC."

Construction Trades Licensing Amendments

Reviewed draft legislation, "Construction Trades Licensing Amendments." The proposed language included modification of construction trade licensing provisions to add heating, ventilation, and air conditioning technicians.

(Continued next column)

Licensing of Court Reporters

Received public comment on the need to update state laws governing the licensing of court reporters.

Mechanics' Liens Amendments

Received a report on the need to reorganize, recodify, and update state laws governing mechanics' liens.

Practice of Cosmetology

Reviewed draft legislation, "Barber, Cosmetologist, Esthetician, Electrologist, and Nail Technician Act." The proposed language would include an exemption from licensure for a person who braids hair and does not engage in any other activity requiring licensure.

*Chairs: Rep. James A. Dunnigan / Sen. John L. Valentine
Staff: Bryant R. Howe (Assistant Director) / Patricia Owen (Attorney) / Robert H. Rees (Attorney) / Jennifer K. Christopherson (Secretary)*

Education

College and Career Readiness Assessments

Action: Approved as a committee bill, "College and Career Readiness Assessment," which requires school districts and charter schools to administer college and career readiness assessments adopted by the Utah State Board of Education.

Educator Evaluation

Received a report from the State Board of Education on a new rule requiring school districts to implement educator evaluation systems, including observations of instructional quality, student growth measures, and parent and student input. The evaluation systems must be fully implemented by the 2014-15 school year.

Raising Student Achievement by the Third Grade

Received a briefing from Voices for Utah Children on a report analyzing how Montgomery County, Maryland and the state of Florida improved student achievement by the third grade. The education reform measures implemented included voluntary preschool, extended day kindergarten, reduced class size, professional development, use of data to improve instruction, a school grading system, and retention of students in third grade.

(Continued next page)

IN THIS ISSUE:

- Pages 1-6 Summaries of Legislative Meetings
- Page 4 Legislative Management Committee
- Insert 2011 Third Special Session

Statewide Computer Adaptive Testing

Action: Approved as a committee bill, with amendments, "Statewide Adaptive Testing." The bill requires school districts and charter schools to administer computer adaptive tests aligned with the common core. The amendments increase the appropriation for computer adaptive tests from \$5,300,000 to \$6,700,000.

Tax Credits for Private School Scholarships

Discussed a proposal to provide nonrefundable tax credits for donations made to a scholarship organization to provide scholarships for students who are not achieving in a public school and who qualify to attend a private school.

Chairs: Rep. Bill Wright / Sen. Howard A. Stephenson

Staff: Allison M. Nicholson (Policy Analyst) / Constance C. Steffen (Policy Analyst) / Angela Oakes Stallings (Attorney) / Debra Hale (Secretary)

Government Operations and Political Subdivisions

Candidate Vacancy Amendments

Action: Approved as a committee bill, "Candidate Vacancy Amendments," which authorizes a political party to replace a candidate who resigns because of a disability that prevents the candidate from continuing the candidacy, and amends a requirement that the political party have a bylaw that establishes a procedure for replacing a candidate.

Cost Savings in State Government

Discussed whether to allow a state agency to provide for its own fleet, technology, and other needs if it can show a cost savings when compared to the existing means used by an agency to meet those needs.

Definition of Countywide Services

Received a report from representatives of the Utah Association of Counties and the Utah League of Cities and Towns regarding their efforts to prepare, as requested by the Committee, separate lists of government services best provided by counties and municipalities.

Voter Information Pamphlets

Action: Approved as a committee bill, "Voter Information Pamphlets," which amends the dates when information can be submitted for the voter information pamphlet, makes the mailing the pamphlet optional in certain circumstances, and authorizes a notice of the website on which a voter information pamphlet is published and the phone number to call to request the pamphlet by mail.

Government Access and Management Act - Voter Registration Records

Action: Approved as a committee bill, "Government Access and Management Act - Voter Registration Records," which amends the requirement of the Lieutenant Governor and county clerks to make certain records available for public inspection and classifies a voter's email address on a voter registration record as a private record.

(Continued next column)

Petitions by Candidates or Political Parties

Action: Approved as a committee bill, "Petitions by Candidates or Political Parties," which establishes requirements for the form and content of a certificate of nomination petition by an unaffiliated candidate and for a political party registration petition, requires a person who is a resident and of at least 18 years of age to verify the signing of a certificate of nomination petition by an unaffiliated candidate and a political party registration petition, and provides criminal penalties for specified violations.

State Agency Consolidation

Received a report from the Advisory Council on Optimizing and Streamlining State Government regarding the council's 25 recommendations it considers to have the highest potential for optimizing Utah state government.

Voter Registration Amendments

Discussed ways to increase the accuracy of the state's voter rolls by eliminating the names of individuals who are deceased, who have moved from the state, or who have a criminal conviction that prohibits them from voting.

Action: Approved as a committee bill, "Voter Registration Amendments," which requires the county clerk to send a notice to a voter who fails to vote in two consecutive regular general elections. Additionally, the bill requires removal of a voter from the official registry upon notification that a voter has registered in another state, notification of a criminal conviction that prohibits a person from voting, or upon a voter's failure to vote in two consecutive elections and failure to respond to the notice given by the county clerk.

Chairs: Sen. Peter C. Knudson / Rep. Craig Powell / Rep. R. Curt Webb

Staff: Art L. Hunsaker (Policy Analyst) / Joseph T. Wade (Policy Analyst) / Victoria Ashby (Attorney) / Emily R. Brown (Attorney) / Wendy Bangarter (Secretary)

Health and Human Services

Medicaid and CHIP Eligibility Determination Study

Received a report from the Department of Health on the status of a study regarding the eligibility determinations for Medicaid and the Children's Health Insurance Program.

Medicaid Inspector General

Received a report from the Medicaid Inspector General on steps taken to organize the new Office of Inspector General of Medicaid Services within the Governor's Office of Planning and Budget. Medicaid auditors have been transferred from the Department of Health to the new office.

Medicaid Provider Cost Control

Received a report from the Department of Health's Division of Health Care Financing on measures it has taken to implement the recommendations and correct the problems identified in the December 2010 legislative audit, "A Performance Audit of Utah Medicaid Provider Cost Control."

Secondhand Smoke

Received a report from a pediatrician on the effects of secondhand tobacco smoke. The pediatrician recommended medical treatment for people who smoke and legislation to protect children from secondhand smoke.

(Continued next page)

State Medical Examiner

Received reports from the State Medical Examiner and the Utah Highway Patrol on problems created by the statutory exclusion of highway deaths from the definition of accidental deaths, which are under the automatic jurisdiction of the medical examiner. The State Medical Examiner and the Highway Patrol recommended repeal of the exclusion, which would resolve the problem of trying to obtain a physician's signature on the death certificate of the deceased, and would preserve vital forensic evidence in some cases.

Action: Approved as a committee bill, "Medical Examiner Amendments."

Chairs: Rep. Paul Ray / Sen. Allen M. Christensen

Staff: Mark D. Andrews (Policy Analyst) / RuthAnne Frost (Attorney) / Cathy J. Dupont (Attorney) / Kimberly A. Heiner (Secretary)

Health System Reform Task Force

Cost Containment

Received a report from the Salt Lake Chamber of Commerce regarding businesses' attempts to restrain the growth of health care spending. The chamber reported that both self-insured and commercially insured businesses are starting to utilize on-site health care clinics.

Federal Health Care Reform Task Force

Received a report from Task Force staff on the various types of organization structures within law that could be used to implement a health insurance exchange under the federal Affordable Care Act. The existing governance structure for the Utah Health Exchange appears to comply with the act.

Received a report from the Governor's Office on the development of a response to proposed federal rules related to implementation of the Affordable Care Act.

Received a report from Task Force staff on recently published recommendations by the Institutes of Medicine on federal creation of an essential benefits package under the Affordable Care Act.

Wellness Programs and Incentives

Received a report from Humana on its Vitality wellness program, which provides non-cash incentives based on the completion of wellness goals verified by electronic monitoring. Humana reported that one study showed use of the program resulted in a 45 percent reduction in insurance claims increases over a five year period.

Chairs: Rep. James A. Dunnigan / Sen. Wayne L. Niederhauser

Staff: Mark D. Andrews (Policy Analyst) / Cathy J. Dupont (Attorney) / Wendy Bangertner (Secretary)

Judiciary, Law Enforcement, and Criminal Justice

Child Support Advisory Guidelines Report

Received a report from the 2011 Utah Child Support Advisory Guidelines Committee regarding the study items and recommendations the committee has addressed since its last required report to the Legislature in 2007.

(Continued next column)

Civil Commitment Amendments

Discussed amending the process for civil commitments by modifying the Substance Abuse and Mental Health Act to include harmful sexual conduct by mentally ill persons as grounds for civil commitment.

Action: Approved as a committee bill, "Civil Commitment Amendments."

Drug Offender Reform Act (DORA)

Received a report from the Commission on Criminal and Juvenile Justice regarding the implementation, impact, and results of the Drug Offender Reform Act.

Annual Report of DUI-Related Data

Received a report from the Utah Commission on Criminal and Juvenile Justice which indicated that in CY 2010, the percentage of total crash fatalities that were DUI-related decreased from 12.7 percent to 9.9 percent. Additionally, it was reported that there were 13,816 arrests in FY 2011, 1,469 fewer than in FY 2009.

Housing State Inmates in County Facilities

Received a report from the Utah Department of Corrections regarding the state's use of county jail facilities to house state inmates and the contracted rates at which the state reimburses the jails. The Department of Corrections uses this practice to manage its inmate population when the number of state inmates exceeds the number of available prison beds.

Kidnap Offender Registry Amendments

Action: Approved as a committee bill, "Kidnapping Offender Amendments." This bill provides a procedure for a person on the Sex Offender and Kidnap Offender Registry to petition the court for removal from the registry if the person was convicted of kidnapping (Utah Code Section 76-5-301) or unlawful detention (Utah Code Section 76-5-304), and meets specified requirements.

Sex and Kidnap Offender Registry

Action: Approved as a committee bill, "Sex Offender Registry Chapter." This bill reorganizes Section 77-27-21.5, which establishes the Sex and Kidnap Offender Registry. The proposed changes are technical in nature and would increase accessibility to the current provisions.

Chairs: Sen. Mark B. Madsen / Rep. Curtis Oda / Rep. Kay L. McCliff

Staff: Jerry D. Howe (Policy Analyst) / Nathan W. Brady (Policy Analyst) / Susan Creager Allred (Attorney) / Esther Chelsea-McCarty (Attorney) / Jennifer K. Christopherson (Secretary)

Legislative Information Technology Steering Committee

October 17, 2011

Mobile Devices

Action: Recommended to the Legislative Management Committee (LMC) that the mobile phone contract with T-Mobile be extended until the end of 2012.

Recommended to the LMC that the Legislature issue a Request for Proposals for mobile devices no later than April 1, 2012, to allow contracts to be in place by 2013.

Chairs: Rep. John Dougall / Sen. Curtis S. Bramble

Staff: Thomas R. Vaughn (Attorney) / Mark J. Allred (IT Manager) / Chelsea B. Lloyd (Secretary)

Legislative Management Committee

September 26, 2011

Action: Assigned responsibility for awarding the vendor contract for two Requests For Proposals (audio/video streaming and cloud-based email system) to a committee of IT staff specialists and managers from the House, the Senate, and the Office of Legislative Research and General Counsel.

*Chairs: President Michael G. Waddoups / Speaker Rebecca D. Lockhart
Staff: Michael E. Christensen (Director) / John L. Fellows (General Counsel) / Phalin L. Flowers (Administrative Assistant)*

Natural Resources, Agriculture, and Environment

Department of Natural Resources - Law Enforcement Efficiencies

Received a report from the Department of Natural Resources on proposals for improving efficiencies in its law enforcement responsibilities.

Executive Water Task Force Report

Received a report from the Department of Natural Resources on legislation being considered by the Executive Water Task Force.

Division of Parks and Recreation Report

Received a report from the Division of Parks and Recreation on:

- efforts to transfer management of selected parks to local governments;
- selected parks that would be candidates for privatization;
- efforts to reduce reliance on General Fund appropriations;
- park level accounting and identification of profit or loss at each park;
- financial performance incentives;
- the replacement of full time staff with seasonal employees;
- the reduction of law enforcement costs; and
- elimination of certain support staff positions where overlap exists.

*Chairs: Rep. Roger E. Barrus / Sen. Ralph Okerlund
Staff: J Brian Allred (Policy Analyst) / Tracy J. Nuttall (Attorney) / Kimberly A. Heiner (Secretary)*

Public Utilities and Technology

Broadband Deployment and Coordination in Utah

Received a report from the state's Broadband Advisory Council about the deployment and construction of high capacity broadband access. Currently, 98 percent of all Utah households have a choice of two or more broadband providers. However, only 79 percent have high capacity and that access is concentrated in 15 counties. In the other 14 counties, there is no residential high-capacity access.

(Continued next column)

Energy Amendments

Received an introduction from the legislative sponsor to draft legislation that would authorize an electrical corporation to supply electric energy from a renewable energy facility to contract customers.

Energy Production and Consumption

Received a presentation from the Utah Energy Users Association about the increasing costs of electrical energy, risk shifting, related legislation, and the need for prudence in capital expenditures by regulated utilities. Also discussed the impact of higher demand and environmental regulation on increasing electrical costs.

Western States Energy Development

Received presentations from the Western Energy Alliance and the Utah Petroleum Association about the cost of developing new energy resources and the impact of regulation.

*Chairs: Rep. Michael E. Noel / Sen. J. Stuart Adams
Staff: Richard C. North (Policy Analyst) / Robert H. Rees (Attorney) / Tracey Fredman (Secretary)*

Redistricting Committee

September 27, 29, October 4, 7, 2011

Public Hearings

The Redistricting Committee held four additional committee meetings at the Capitol to continue discussion and take action on State School Board, State Senate, State House, and U.S. Congressional redistricting plans. The Committee adopted and recommended to the full Legislature redistricting plans for consideration in a special session. The Legislature convened in a special session on October 3rd and 4th and concluded on October 17th. The Legislature passed the following redistricting bills:

- S.B. 3001 Third Substitute - Utah State Senate Boundaries and Election Designation
- S.B. 3002 Nineteenth Substitute - Congressional Boundaries Designation
- H.B. 3001 Sixth Substitute - Utah State House Boundaries Designation
- H.B. 3002 First Substitute - State Board of Education Boundaries Designation

*Chairs: Rep. Kenneth W. Sumsion / Sen. Ralph Okerlund
Staff: Art L. Hunsaker (Policy Analyst) / Allison M. Nicholson (Policy Analyst) / Benjamin N. Christensen (Policy Analyst) / J Brian Allred (Policy Analyst) / Jerry D. Howe (Policy Analyst) / John Q. Cannon (Managing Policy Analyst) / Joseph T. Wade (Policy Analyst) / Leif G. Elder (Policy Analyst) / Mark D. Andrews (Policy Analyst) / Phillip V. Dean (Policy Analyst) / Richard C. North (Policy Analyst) / Emily R. Brown (Attorney) / Angela Oakes Stallings (Attorney) / Eric N. Weeks (Deputy General Counsel) / John L. Fellows (General Counsel) / Kimberly A. Heiner (Secretary)*

Retirement and Independent Entities

Actuarial Study of PEHP's Contingency Reserves

Received an audit report from the Office of the Legislative Auditor General on the Public Employees Health Program's (PEHP) contingency reserves. The audit recommended contingency reserves of between 50 and 80 days. PEHP also reported that there are currently 111 days of reserves or \$84

(Continued next page)

million. Accounting for anticipated adjustments at the end of the fiscal year 2011-12, PEHP projects 94 days of reserves.

Provision of Health Care Benefits to State Employees

Received a report from PEHP in response to 2011 General Session H.B. 404, "State Health Insurance Amendments." The report discussed ways to improve how the state provides health insurance to state employees.

Chairs: Rep. Don L. Ipson / Sen. Daniel R. Liljenquist
Staff: Benjamin N. Christensen (Policy Analyst) / Cathy J. Dupont (Attorney) / Shannon C. Halverson (Attorney) / Debra Hale (Secretary)

Revenue and Taxation

Income Tax Credits

Action: Approved as a committee bill, "Extension of Recycling Market Development Zone Tax Credits," which extends the sunset date until 2021 for recycling market development zone tax credits.

Local Sales and Use Tax

Discussed distribution of the general local option sales and use tax, including the existing distribution methodology and alternative methodologies that incorporate total wages.

Action: Directed committee staff to draft legislation providing authority for the Community Impact Board to use grants to address entities affected by the enactment of certain sales tax exemptions and by changes in sales and use tax sourcing provisions.

Sales and Use Tax - Streamlined Sales Tax

Action: Approved as committee bills:

- "Sales and Use Tax Act Revisions," which addresses streamlined sales tax issues; and
- "Sales and Use Tax - Computer Software and Other Tangible Personal Property Amendments," which addresses how computer software and other tangible personal property are taxed.

Reports and Studies

Received statutorily-required reports on property tax assessment practices and equal payment agreements, federal tax changes impacting state revenues, a sales and use tax exemption for certain manufacturing equipment, and various income tax credits.

Action: Approved a motion to recommend continuation of the following tax provisions:

- a sales and use taxation exemption for services and accommodations taxed by the Navajo Nation;
- life science and technology tax credits; and
- severance and sales tax exemptions for oil shale, tar sands, and coal-to-liquids technology.

Tax Refunds

Action: Directed committee staff to draft legislation that addresses tax refunds in light of the recent Utah Supreme Court decision in Ivory Homes v. Utah State Tax Commission.

Taxation of Hotel Accommodation Intermediaries

Received public comment and discussed the taxation of hotel accommodations when the buyer uses an intermediary, such as a travel website, to make the purchase.

Action: Directed committee staff to draft legislation establishing the taxable base on hotel transactions made by a reseller and requiring certain disclosures of the amount of tax paid.

Chairs: Rep. Patrick Painter / Sen. Curtis S. Bramble
Staff: Bryant R. Howe (Assistant Director) / Phillip V. Dean (Policy Analyst) / Rebecca L. Rockwell (Attorney) / Chelsea B. Lloyd (Secretary)

Senate Judicial Confirmation Committee

October 17, 2011

Judicial Confirmations

- Recommended that Elizabeth Hruby-Mills be confirmed by the Senate as a district court judge in the Third Judicial District.
- Recommended that Ryan Harris be confirmed by the Senate as a district court judge in the Third Judicial District.

The Senate confirmed both Ms. Hruby-Mills and Mr. Harris by unanimous vote on October 19, 2011.

Chairs: Sen. Scott K. Jenkins
Staff: Jerry D. Howe (Policy Analyst) / Susan Cragger Allred (Attorney) / Jennifer K. Christopherson (Secretary)

Transportation

Driver License and Identification Card Amendments

Action: Approved as a committee bill, "Driver License and Identification Card Amendments," which amends provisions relating to driver licenses and identification cards.

Aircraft Registration Report

Received a report on the progress and results of updating the information contained in the statewide database of all aircraft based within the state and the compliance rates for aircraft registrations for aircraft based within the state.

Annual Report of DUI-Related Data

Received a report from the Utah Commission on Criminal and Juvenile Justice which indicated that in CY 2010, the percentage of total crash fatalities that were DUI-related decreased from 12.7 percent to 9.9 percent. Additionally, it was reported that there were 13,816 arrests in FY 2011, 1,469 fewer than in FY 2009.

Annual State Highway System Changes

Action: Requested that committee staff draft a bill that would transfer ownership of portions of three roads (SR-73, SR-68, and SR-197) to Lehi City and Saratoga Springs.

Driver License Issues

Action: Approved as a committee bill, "Driver License Revisions," which amends provisions relating to temporary driver license certificates.

Ignition Interlock Program Update and Review

Received a presentation from the Driver License Division on current ignition interlock laws and a presentation from

(Continued next page)

representatives of the ignition interlock industry and the Utah Association of Criminal Defense Attorneys on the reliability of ignition interlock systems.

*Chairs: Rep. Bradley M. Daw / Sen. Kevin T. Van Tassell
Staff: Leif G. Elder (Policy Analyst) / Shannon C. Halverson (Attorney) / Tracey Fredman (Secretary)*

Workforce Services and Community and Economic Development

Department of Community and Culture (DCC) Restructuring

Received a report from the DCC on what types of restructuring would improve efficiency, reduce costs, and better focus the state and its employees on providing community and cultural development opportunities, and serving stakeholders.

Department of Workforce Services (DWS) - Organizational Efficiency

Received a presentation from the DWS on its organization and mission. The department's mission is to "strengthen Utah's economy by supporting the economic stability and quality of our [Utah] workforce." The Committee asked questions about the department's functions and organization regarding potential efficiencies.

(Continued next column)

Economic Development Regulatory Environment

Received presentations from the Governor's Office of Planning and Budget, Utah's Division of Administrative Rules, Salt Lake Chamber of Commerce, and the Governor's Office of Economic Development on ways Utah can continue to improve its position as a consistent leader in economic vitality. The presenters discussed ways to improve Utah's business regulatory environment.

Action: Directed committee staff to draft legislation to create a task force to study improving the state's economic development regulatory environment.

Governor's Office of Economic Development (GOED)

- Organizational Efficiency

Received a presentation from the Executive Director of GOED on the office's organization and mission. The Committee asked questions about the office's functions and organization regarding potential efficiencies.

*Chairs: Rep. Jim Bird / Sen. Stuart C. Reid
Staff: Benjamin N. Christensen (Policy Analyst) / Peter Asplund (Attorney) / Robert H. Rees (Attorney) / Debra Hale (Secretary)*

Next Interim Day—November 16, 2011

For more information about legislative activities, visit the Utah State Legislature's website at: le.utah.gov

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Office of Legislative Research and General Counsel*

RETURN SERVICE REQUESTED

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October Interim Highlights

2011 Third Special Session — October 3, 4, and 17, 2011

The Legislature passed the following bills:

- H.B. 3001 Sixth Substitute, "Utah State House Boundaries Designation" (*K. Sumsion*)
- H.B. 3002 First Substitute, "State Board of Education Boundaries and Election Designation" (*K. Sumsion*)
- H.B. 3003, "Workers' Compensation and Unincorporated Entities Amendments" (*M. Morley*)
- H.B. 3004, "State Board of Regents Amendments" (*K. McIff*)
- H.C.R. 301, "Concurrent Resolution Recognizing the 75th Anniversary of the Welfare System of the Church of Jesus Christ of Latter-day Saints" (*R. Menlove*)
- H.C.R. 302, "Concurrent Resolution on the Scofield Land Transfer" (*P. Painter*)
- H.J.R. 301, "Bill Request Procedures Joint Resolution" (*W. Harper*)
- S.B. 3001 Third Substitute, "Utah State Senate Boundaries and Election Designation" (*R. Okerlund*)
- S.B. 3002 Nineteenth Substitute, "Congressional Boundaries Designation" (*R. Okerlund*)
- S.B. 3003, "Amendments to Driver License Suspension for Driving Under the Influence Offenses" (*S. Jenkins*)
- S.B. 3004, "Presidential Candidate Amendments" (*P. Knudson*)
- S.B. 3005, "Lieutenant Governor District Determinations" (*R. Okerlund*)

These bills are available at: <http://le.utah.gov/>