JOINT RESOLUTION -- POTENTIAL INTERIM STUDY

ITEMS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: ____________

LONG TITLE

General Description:

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

Highlighted Provisions:

This resolution:

- gives the Legislative Management Committee items of study it may assign to the appropriate interim committee during the 2016 legislative interim; and
- suggests that the Legislative Management Committee, in approving studies, give consideration to the available time of legislators and the budget and capacity of staff to respond to the assigned studies.

Special Clauses:

None

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

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

WHEREAS, the 61st Legislature has identified potential issues for possible additional investigation and study:
NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Utah that the Legislative Management Committee may select from the following items of study to assign to the appropriate interim committee to study and make recommendations for legislative action to the 61st Legislature before the 2017 General Session.

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

1. Alcoholic Beverage Control Budget - to study issues related to the budget of the Department of Alcoholic Beverage Control and the Alcoholic Beverage Control Commission (S.B. 83).

2. Effects of Exemptions and Credits on Education Fund - to study the effect of tax exemptions and credits from 1995-2015 on the Education Fund and the claims that these exemptions generate a greater return over time than the potentially collected taxes.

3. Public Education Funding Methods - to study the value of earmarked funding compared to prioritizing the weighted pupil unit.

4. Alcohol Service - to study alcoholic beverage service requirements.

5. Alcoholic Beverage Control Facilitator - to study whether to establish a facilitator with ombudsman-like duties within the Department of Alcoholic Beverage Control (S.B. 84).

6. Apprenticeship Authorization - to study and develop a pathway for apprenticeships in any area of industry in addition to the trades (H.B. 171).

7. Barrier Required for Dispensing and Serving Alcoholic Product - to study issues related to the current statutory requirement that a solid, translucent, permanent barrier be placed between locations where an alcoholic product is dispensed and locations where the alcoholic product is served to a patron (S.B. 141).


9. Clean Energy Financing - to study residential property assessed clean energy (R-PACE) financing, which is similar to the voluntary commercial property assessed clean energy (C-PACE) financing in current Utah law.

10. Department of Alcoholic Beverage Control Retail Stores - to study and discuss better management of the state's alcoholic beverage control retail stores.
11. Discretionary Authority Clauses - to study a prohibition on discretionary authority clauses in insurance policies.

12. Hospital Liens - to study whether to allow a hospital that provides medical care to a patient in an emergency room to assert a lien, and to limit the amount of a hospital lien to an amount equal to 50% of a patient's liability insurance policy limit (H.B. 231).

13. Interior Design - to study interior design scope of practice.

14. Licensing Amendments - to study whether to allow an applicant for licensure under Title 58, Occupations and Professions, to receive a deferral of fees, under certain circumstances, if the applicant agrees to pay the fees within six months of receiving a license (H.B. 108).

15. Living Wage - to study increases to the minimum wage (H.B. 195).

16. Professional Licensing System Transition - to study the transition of the state's professional licensing system from a time-based system to a competency-and-qualification-based system (H.B. 467).

17. Rental Application Fees - to study issues related to rental application fees.

18. Revised Business Corporate Act Amendments - to study whether to modify provisions regulating business corporations (H.B. 387).

19. Revised Nonprofit Corporation Act - to study modifications to the Utah Revised Nonprofit Corporation Act that would allow for the transfer of water shares in a mutual benefit corporation and clarify the property rights of a member of a nonprofit corporation (H.B. 218).

20. Short-Term Rental Ordinances - to study short-term rental ordinances as they relate to private property, municipal zoning, and taxation.

21. Substandard Housing - to study solutions to problems associated with substandard housing.

22. Zion Curtain Impacts - to study the impact of the Zion Curtain on businesses and tourism.

23. Article V Conventions - to study the reasons for and against calling for an Article V Convention to amend the United States Constitution.

24. Assessment Scores and Teacher Evaluations - to study and determine whether year-end assessment scores should be a determining factor for teacher evaluations.

25. Board of Education - to study issues related to employees of the State Board of
26. Comprehensive Sex Education - to study and review information relating to the effectiveness of abstinence only versus comprehensive sex education in terms of prevention of sexually transmitted diseases, unintended pregnancies, reproductive concerns, and sexual violence (H.B. 246).

27. Educational Opportunities Grant Program - to study the Educational Opportunities Outside of the Regular School Day Grant Program (S.B. 125).

28. Educator Ethics - to study the creation of a grant program for educator ethics training for school employees (H.B. 456).

29. ESSA (Every Student Succeeds Act) Implementation - to study assessments, requirements, parental involvement plan requirements, accountability systems, standards, and implementation.

30. In-State Tuition - to study the cost and efficiency of providing in-state tuition for students who are members of tribes native to Utah.

31. Peer Assistance and Review - to study amendments to the Peer Assistance and Review Program (H.B. 312).

32. Proceeds of Public Lands Sales - to study whether 5% of the proceeds of all sales of public lands by the federal government have been paid to the state of Utah to support the public schools and whether the federal government has appropriated to its own use, or otherwise disposed of, public lands that would amount to a "deemed sale" without paying 5% to the state of Utah to support the public schools.

33. Public Education Curriculum - to study amendments to provisions relating to certain public education curriculum and instructional materials (H.B. 335).

34. SAGE Testing - to study the use of Student Assessment of Growth and Excellence (SAGE) testing in student grades.

35. School District Flexibility - to study how to provide flexibility to local school districts when program requirements are not a good fit (H.B. 94).

36. Statutory Changes Needed to Help Meet the Requirements of the Elementary and Secondary Education Act - to study, with feedback from the State Board of Education, the recent reauthorization of the Elementary and Secondary Education Act (ESEA), and the Every Student Succeeds Act, including provisions related to accountability and assessments,
particularly those related to assessment participation and ways of implementing innovative
assessments. The purpose of the study is to specifically learn what measures the Legislature
should implement in statute to allow the State Board of Education to accomplish the
requirements of the ESEA.

37. Student Data Collection - to study parental notification of student data collected by
schools and parental ability to opt out of the student's data collection or retention.

38. Testing in Utah Schools - to study the need to reduce the testing burden in Utah
schools.

39. Enterprise Zone Amendments - to study amendments to the Enterprise Zone Act,
including adding nonprofit corporations to the act (H.B. 31).

40. Housing and Economic Revitalization Funds - to study options for a permanent
revenue stream for the Olene Walker Housing Loan Fund and the Economic Revitalization and
Investment Fund provided in H.B. 474, 2016 General Session.

41. Low-Income Housing Loans - to study the use of Community Development Block
Grants to assist in matching Fair Isaac Company (FICO) approvals of Federal Housing
Administration loans.

42. Paid Family Leave - to study whether to require executive agencies to provide paid
parental leave upon the birth or adoption of an employee's child (H.B. 188, 2nd Sub. H.B. 188).

43. State Funding for the Arts - to study the way the state funds arts programs through
the Division of Heritage and Arts.

44. Candidate Financial Disclosure - to study whether to amend penalties for failure of
a candidate to timely file certain financial disclosure reports (H.B. 278).

45. Caucus and Primary Processes - to study amendments to the caucus and primary
processes.

46. County Election Administration - to study a county's constitutional and statutory
obligations related to administering an election, including who should bear the cost of the
election.

47. Election Day Voter Registration Pilot Project - to study and evaluate the data
gathered from the three-year Election Day Voter Registration Pilot Project (1st Sub. H.B. 156,
2014 General Session).

48. Elections - to study financial reports, deadlines, and penalties related to elections.
49. Governmental Nonprofit Entity Compliance - to study whether the Open and Public Meetings Act and the Government Records Access and Management Act should apply to a governmental nonprofit corporation and to study the state auditor's authority to audit the accounts of a governmental nonprofit corporation (H.B. 432).

50. Private Security Licensing Board Amendments - to study modifications to the membership of the Private Investigator Hearing and Licensure Board (S.B. 227).

51. Private Use of Drones - to study the regulation and use of unmanned aircraft (S.B. 211).

52. Redistricting Advisory Commission - to study the creation of a Redistricting Advisory Commission (S.B. 81).

53. Redistricting Commission - to study the establishment of an Advisory Redistricting Commission (H.B. 313).

54. Specie Legal Tender Amendments - to study modifications to the State Money Management Act related to specie legal tender (H.B. 429).

55. Voter Eligibility - to study whether to allow an individual 17 years of age to register to vote in a primary election if the individual will be 18 years of age by the general election (H.B. 70).

56. Baby Watch Early Intervention - to study the current location of the Baby Watch Early Intervention Program and whether it should be relocated.

57. Centers for Medicare and Medicaid Waiver - to study and seek a Centers for Medicare and Medicaid Services waiver for family planning services for adults in the Medicaid gap (H.B. 246).

58. Code Revision - to study the replacement, in state statute, of the term "hearing impaired" with a more appropriate term.

59. E-Cigarette Use - to study issues related to e-cigarettes, including teen use, and whether to revoke a teen's driver license for violations of rules governing e-cigarette use.

60. End of Life Options - to study the creation of an End of Life Options Act (H.B. 264).

61. Homelessness in Salt Lake City - to study and comprehensively review homelessness in Salt Lake City, including reasons for its growth, personal circumstances leading to homelessness, and other issues.
62. Medical Bills - to study out-of-network medical bills.
63. Medical Devices - to study online prescribing and dispensing of medical devices.
64. Medical Language Interpreter Act - to study and evaluate the existing Medical Language Interpreter Act to determine whether to implement improvements (H.B. 144, 2009 General Session).
65. Opioid Replacement Treatment Centers - to study the operation and efficacy of opioid replacement treatment centers (H.B. 400).
66. Opioid Use Disorder - to study cognitive behavioral interventions for treatment of opioid use disorder.
67. Organ Donation Funding - to study the funding of organ donations for Intermountain Donor Services.
68. Public Employees Health Plan (PEHP) Health Benefits - to study the removal of restrictions on mental health benefits for PEHP beneficiaries.
69. Reducing Opioid Addictions and Overdoses - to study what the Legislature should do to reduce the amount of opiates prescribed in Utah to prevent opioid addiction and overdose deaths.
70. School Meal Program Enrollment - to study ways to automatically enroll children on Medicaid in the free and reduced school meal program.
71. Tobacco Age Limit - to study issues related to the age limit for tobacco use.
72. Traumatic Brain Injury - to study traumatic brain injury rehabilitation and research.
73. Adoptions - to study adoption ethics reform (S.B. 183, 2013 General Session).
74. Appeals Process in Death Penalty Cases - to study and compare Utah to other states that have the death penalty to determine what options are available to shorten the appeals process.
75. Child Support Regarding Rape Offenders - to study a requirement that offenders convicted of sexual assault pay child support if a child results from the assault and the nonconvicted parent requests an order from the court or requests assistance from the Office of Recovery Services (H.B. 426).
76. Competency Restoration - to study and address problems resulting from excessive delays or waiting times related to restoring competency for people charged, but not convicted, of a crime.
214 77. Court Fee Refund - to study a requirement that a court or administrative tribunal
215 refund all fees incurred by citizens who fight a parking ticket and win.
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217 78. Deeds Registered in Transfer-On-Death (TOD) form - to study deeds to be
218 registered in TOD form in order to bypass probate.
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220 79. Drunk Driving Penalty - to study whether to make drunk driving a felony.
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222 80. Enhanced Penalties Related to Marketing and Distribution of Vaping Products to
223 Underage Users - to study ways to increase the severity of penalties for the marketing or
224 distribution of vaping products to minors, facilitating the use of vaping products by minors, and
225 the use of vaping products by minors.
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227 81. Interest Rates - to study statutory pre-judgement and post-judgement interest rates.
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229 82. Marijuana Impairment and Penalties - to study marijuana impairment standards
230 and possession penalties.
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232 83. Meeting "Least Restrictive Means" Test - to study and report on the current and
233 ongoing status of the extent to which the Division of Child and Family Services system and the
234 courts are meeting the constitutionally required "least restrictive means" test in parental rights
235 enforcement and termination, and to study applicable audits.
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237 84. Parent Time/Custodial Time Interference - to study how to make it easier and less
238 expensive to enforce parent time orders issued by a court and to give the court guidance on
239 sanctions for parents who violate parent time orders.
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241 85. Parentage Laws - to study amendments to parentage laws for same-sex couples.
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243 86. Rural Lawyer Cooperative - to study the creation of a rural lawyer cooperative to
244 meet the legal needs of small to medium-sized communities away from the Wasatch Front.
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246 87. Sexual Conduct with a Minor Amendments - to study whether to amend
247 provisions relating to sexual offenses against minors and children (H.B. 407).
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249 88. Spousal Elective Share - to study changes to Utah Code Section 75-2-201 and
250 subsequent sections to eliminate the separate property provisions and create a ratcheting
251 spousal right in the augmented estate.
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253 89. Termination of Parental Rights - to study amendments to the Juvenile Court Act
254 relating to petitions for termination of parental rights (H.B. 307).
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256 90. Violent Video Games - to study and consider a statutory means to regulate minors'
257 access to violent or sexually explicit video games.
91. 911 Liability Review - to study, review, and assess the liability provisions associated with 911 emergency telecommunications services and any necessary enhancements to ensure all interests are appropriately managed and protected.

92. Death Penalty - to study the costs and delays associated with the death penalty.

93. Inciting Violence Against a Peace Officer or Firefighter - to study a penalty for inciting violence against a peace officer or firefighter.

94. Inmate Health Education - to study the establishment of a program by the Department of Health to provide women's health education classes on site for women incarcerated in state and county correctional facilities (H.B. 449).

95. Law Enforcement, Chaplain, andPeer Counselor Confidentiality - to study law enforcement, chaplain, and peer counselor issues relating to confidentiality of information shared in crisis situations.

96. Line-of-Duty Death Benefit - to study whether to provide a line-of-duty death benefit for volunteer or emergency responders.

97. Private Security Amendments - to study modifications to requirements regarding the employment of an off-duty police officer by a security company (H.B. 427).

98. School-to-Prison Pipeline - to study issues related to the school-to-prison pipeline.

99. Sex Offender Registration - to study whether registration as a sex offender should be based on an assessment of the likelihood of re-offending.

100. Beekeeping - to study whether to amend provisions relating to the Utah Bee Inspection Act (H.B. 115).

101. Beekeeping Amendments - to study whether to modify and rename the Utah Bee Inspection Act (H.B. 315).

102. Division of Waste Management and Radiation Control Study - to study recommendations of the Division of Waste Management and Radiation Control regarding:

1. whether waste facilities are regulated the same regardless of whether they are publicly or private owned;

2. whether charging disparate fees for municipal solid waste facilities based on private or public ownership serves a regulatory interest;

3. if similar waste facilities were treated the same for fees, what the recommended fee would be;
4. what an equitable fee structure would be for industrial wastes (tainted soils), construction waste, and coal ash, regardless of entity ownership or location of receiving facilities or generator location; and

5. whether facilities that treat, recycle, or restore industrial wastes should have a permit and pay regulatory fees.

103. Dugway Proving Ground Oversight - to study oversight of programs and activities at the United States Army Dugway Proving Ground.


105. Great Salt Lake - to study issues related to the Great Salt Lake.

106. Impact on School and Institutional Trust Lands Productivity - to study the extent to which School and Institutional Trust Lands are rendered inaccessible or reduced in value or productivity by federal government actions, regulations, restrictions, or conditions.

107. Improving Air Quality - to study ways to improve air quality because of the impact on health, economic development, and tourism.

108. Long-Term Financing for Outdoor Infrastructure - to study a method to provide long-term financing for the Office of Outdoor Recreation infrastructure grants.

109. Paint Stewardship - to study recycling and stewardship and the return of paint to the distributor (H.B. 476).

110. Sale of State Land - to study procedures for the sale of state land (S.B. 247).

111. Tire Recycle Fee - to study how much is collected and where the funds are distributed.

112. Wildlife Tag Proceeds - to study the distribution and allocation of Utah wildlife tag proceeds.

113. Wood Burning Stoves Amendments - to study whether to require the Air Quality Board to follow certain procedures if it adopts an administrative rule that differs from federal regulation, and whether to permit a person to transfer, sell, supply, or install a wood burning stove that is not certified by the United States Environmental Protection Agency if the transfer, sale, supply, or installation is in accordance with the federal Clean Air Act (H.B. 261).

114. County Option Document Recording Fee - to study a county option document recording fee for moderate income housing.
115. Falconry Amendments - to study and determine whether to restrict a municipality or a county from enacting an ordinance that limits a registered falconer from keeping a raptor at the falconer's residence (H.B. 413).

116. Local Districts Providing Multiple Services Together - to study whether additional statutory authority is needed to allow local districts (limited purpose local government entities) to continue the established practice of providing multiple services, commodities, or facilities together in accordance with recent federal court decisions specifying federal anti-trust requirements.

117. Local Historic Districts - to study the process used by municipalities to create local historic districts, including how historic landmark commissions approve or deny projects (H.B. 223).

118. Municipal Flexibility Related to Sales of Alcoholic Beverages - to study ways to provide municipalities more flexibility in determining how late businesses selling alcoholic beverages may remain open.

119. Special Districts - to study the creation of special districts and whether there is adequate special district oversight.

120. Zoning - to study federal and state law relationships and local zoning laws related to single-family residence and substance abuse residence recovery (H.B. 414).

121. Broadband Incentives - to study and consider incentives that may be offered to promote broadband expansion and adoption throughout the state in support of economic development, education, and other identified objectives.

122. Data Breach Notification - to study data security breach notifications by public entities.

123. Heat and Power Systems - to study combined heat and power systems (H.B. 466).

124. Longitudinal Data Management Governance - to study how to develop a governance structure for the longitudinal data system and the Utah Data Alliance, including a governing board and a director (H.B. 357).

125. Net Metering - to study issues related to net metering (H.B. 256).

126. Utah Science Technology and Research Initiative (USTAR) Study - to study the USTAR, with emphasis on the state taking a percent upside of funded projects.

127. Alternative Energy Credits, Subsidies, and Exemptions - to study the total value
or amount of state and federal incentives, subsidies, credits, and exemptions and their impact
on the potential for oversupply and market distortion.

128. Energy Tax Credit Amendments - to study whether to modify tax credits for
residential and commercial energy systems that utilize solar power (H.B. 327).

129. Hygiene Tax Act - to study whether to add a sales and use tax exemption for
incontinence and feminine hygiene items (H.B. 202).

130. International Tax Credits - to study double taxation on foreign income via
pass-through entities.

131. Municipal Energy Tax Rates - to study issues related to municipal energy sales

132. Property Assessments - to study property assessments when limited market data
are available, including Use Value Adjustments for determining value for real property
assessments vs. Market Value Adjustments.

133. Property Tax and Fair Market Value - to study the fair market valuation of static
property (H.B. 376).

134. Property Tax Caps - to study property tax caps for local school board levies.

135. Property Tax Revisions - to study a process for real estate developers to seek
deferral of property taxes (S.B. 168).

136. Public Building Materials - to study a sales tax exemption for public building
materials.

137. Regulation and Taxation of E-Cigarettes - to study the regulation and taxation of
e-cigarette products and nicotine inhalers and how related revenues are to be spent (H.B. 333).


139. Solar Tax Credits - to study how to determine when the state of Utah should end
solar energy tax credits.

140. Tax Credits for Education Financing - to study financing for certain public
education projects (H.B. 408).

141. Urban Farming Assessment - to study changes to urban farming provisions to
allow for greater utilization of the current program, which is stringent and almost never used
(S.B. 122, 2012 General Session).

142. Urban Redevelopment Tax Credit - to study a nonrefundable urban
redevelopment tax credit and a process that would allow a qualified investor to claim the tax credit (1st Sub. H.B. 346).

143. Voluntary Tax Contribution Categories - to study the methodology to remove voluntary tax contribution categories from Utah's tax return forms.

144. Voted and Board Leeway - to study amendments to school district property tax provisions regarding the voted and board leeways (H.B. 272).

145. Benefit Levels - to study state employee retirement benefit levels.

146. Certified Employer Contribution Rates - to study a requirement that the Utah State Retirement Board increase certified employer contribution rates to reflect any increased costs from retirement benefit enhancements enacted during a general session or special session (S.B. 208).

147. Postretirement Funding - to study the fiscal notes of certain postretirement bills and ways to fund them (H.B. 47, H.B. 50, H.B. 86, and H.B. 117).

148. Retirement Contribution Rates - to study and receive a presentation on preliminary retirement contribution rates.

149. Retirement System Improvements - to study continued efforts to strengthen and improve the Utah Retirement System and to reduce the unfunded liability.

150. Retirement System Modifications - to study and review annual Utah Retirement System modifications, including technical amendments.

151. Retirement Systems Overview - to study an overview of systems, plans, and actuarial information.

152. Tier II Retirement - to study modifications to the retirement benefits in the New Public Employees' Tier II Contributory Retirement Act and the New Public Safety and Firefighter Tier II Contributory Retirement Act (H.B. 205).

153. All-Terrain Vehicles - to study the operation of all-terrain vehicles, not designated as street legal, on certain streets or highways.

154. C Decal Prioritization - to study issues related to C Decal distribution prioritization based on clean fuel vehicle type and low emissions.

155. Division Description Review and Cleanup - to study changes to the statutory descriptions of the duties, responsibilities, and structure of divisions within the Department of Transportation to reflect current practices.
156. Driver License Amendments - to study whether to amend provisions related to a driver license suspension for driving under the influence of alcohol (H.B. 475).

157. License Plate - to study whether to provide a Purple Heart license plate for motorcycles.

158. Motor Carrier and Size and Weight Regulations - to study potential updates to reflect current practice and federal requirements.

159. Salvage and Branded Title Vehicles - to study the issues and impacts related to Utah consumers purchasing vehicles in Utah that were purchased at auction in another state after being involved in an accident. Many of these vehicles are not being given a branded title and are then sold to unsuspecting consumers in Utah.

160. Snowmobile Registration Fee and Snowmobile and Avalanche Safety Education - to study an exemption from an additional fee for registration of snowmobiles and how to distribute collected fees to promote snowmobile and avalanche safety and education (H.B. 450).

161. UDOT Structure - to study technical revisions to the Utah Department of Transportation's current structure.

162. Vehicle Safety Inspections - to study whether to continue, change, or end the vehicle safety inspection program.

163. Window Tinting - to study whether to prohibit the use of nontransparent materials on, and set minimum light transmittance requirements for, the rear and rear side windows of a motor vehicle (H.B. 141).

164. Income Tax Waivers for Military Retirement Income - to study the economic benefits, including more retirees moving to Utah and increased spending in the state, of an income tax waiver for military retirement income.

165. Military Retirement Income Tax Exemption - to study whether to exempt retirement payments related to service in the armed forces (H.B. 99).

166. Placement of Bills on Reading Calendars - to study the creation of a procedure to request House legislation be placed on the Senate third reading calendar during the last two days of the annual general legislative session.

167. Treatment of Bills Near the End of the Session - to study how to be transparent and fair in the treatment of House bills on days 44 and 45 of the annual general session.
Legislative Review Note
Office of Legislative Research and General Counsel