

**LEGISLATIVE INTERIM COMMITTEES  
JUNE 2011**

| <b>Education</b>   |  |
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| <b>Bill Title/Subject Matter:</b>  | <b>Corrections Education Amendments<br/>Sunset Review of Utah Code Section 53A-1-403.5 Education of persons in custody of the Utah Department of Corrections</b> |
| Legislator(s) –Sponsor:  |  |
| Interested Parties:  | <b>Representatives of UDOC, Utah State Board of Education, and Utah State Board of Regents</b>   |
| Code Reference:  | <b>2012FL-0150/003<br/>Amends UCA §53A-1-403.5; Repeals §64-13-30.7</b>  |
| <p><b>Description:</b> Should the following sections of code be amended and also reauthorized? Removes the State Board of Regents' responsibility for the education of persons in the custody of the Department of Corrections; provides that the State Office of Education and Utah Department of Corrections shall collaborate with the State Board of Regents and other entities in preparing and implementing a recidivism reduction plan.</p> <p><i>Motion: Sen. Niederhauser makes a motion to instruct staff to review the legislation and add language to accommodate the concerns of legislators.</i></p> <p><i>Substitute Motion: Sen. Stephenson makes a substitute motion to move to the next item on the agenda and bring this bill back with Senators Niederhauser's and Christensen's changes on recidivism.</i></p> <p><i>Action: Motion passed unanimously.</i></p>   |  |
| <b>Business and Labor Interim</b>  |  |
| <b>Bill Title/Subject Matter:</b>  | <b>Alcoholic Beverage Control Act Amendments</b>   |
| Legislator(s) –Sponsor:  | <b>Sen. Valentine</b>  |
| Interested Parties:  |  |
| Code Reference:  | <b>2012FL-0084/012; Amends §§32B-1-102; 32B-2-209, 605; 32B-6-404, 603, 702, 703, 705, 706, and 902.</b>   |
| <p><b>Description:</b><br/>Modifies definitions and removes references to certificates related to prohibited interests, relationships, and actions; modifies the type of licenses that if held by a manufacturing facility that also holds a package agency allows the manufacturing facility to sell an alcoholic product on additional days. Addresses the transfer of a grandfathered facility licensed as an on-premise banquet catering license. Modifies bond amount for on-premise beer retailers. Modifies the definition of recreational amenity. Addresses requirements related to on-premise beer retailers, recreational amenities, and the sale of food. Removes an unnecessary cross reference related to notifying the department of closures and transfers of licenses. Modifies dates related to grandfathering and beer only restaurants. Makes technical and conforming amendments.</p> <p>Other Special Clauses: This bill provides an immediate effective date. This bill provides for retrospective operation.</p> <p><i>Motion: Sen. Valentine makes a motion to make this legislation a Committee bill that supersedes the bill from last Interim meeting.</i></p> <p><i>Action: Passed out as a Committee bill.</i></p> |  |

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|---|-------------------------|---|---------------|-------|--------------|--|---------|-------------|---|---------|--------------|----------------------------|---------|--------------|
| <b>Bill Title/Subject Matter:</b>   |                         | <b>Alcoholic Beverage Control Act Fees</b>                    |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Legislator(s) –Sponsor: | <b>Sen. Valentine</b>   |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Interested Parties:     |   |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Code Reference:         | <b>UCA § 32B-6-204 (Effective 7/1/11)</b>                     |               |       |              |  |         |             |   |         |              |                            |         |              |
| <p><b>Description:</b> The Legislature is being asked to make a policy decision on whether to keep the sliding scale fees for liquor license renewals or change to a uniform flat fee. Changing to a uniform flat fee would simplify the online renewal process. A three year look-back provided a standard flat fee of \$1,250 for all renewals. The current renewal fees are:</p> <table> <tr> <td>Under \$5,000</td> <td>\$850</td> <td>107 licenses</td> </tr> <tr> <td>Equals or exceeds \$5,000 less than \$10,000</td> <td>\$1,050</td> <td>60 licenses</td> </tr> <tr> <td>Equals or exceeds \$10,000 less than \$25,000</td> <td>\$1,500</td> <td>129 licenses</td> </tr> <tr> <td>Equals or exceeds \$25,000</td> <td>\$1,750</td> <td>241 licenses</td> </tr> </table> <p><i>Motion: Sen. Davis makes a motion to move on to the next agenda item so that the public can be prepared to address the proposed policy change at the next Interim meeting.</i></p> <p><i>Action: Motion passed unanimously.</i></p> |                         |   | Under \$5,000 | \$850 | 107 licenses | Equals or exceeds \$5,000 less than \$10,000 | \$1,050 | 60 licenses | Equals or exceeds \$10,000 less than \$25,000 | \$1,500 | 129 licenses | Equals or exceeds \$25,000 | \$1,750 | 241 licenses |
| Under \$5,000   | \$850                   | 107 licenses  |               |       |              |  |         |             |   |         |              |                            |         |              |
| Equals or exceeds \$5,000 less than \$10,000  | \$1,050                 | 60 licenses   |               |       |              |  |         |             |   |         |              |                            |         |              |
| Equals or exceeds \$10,000 less than \$25,000   | \$1,500                 | 129 licenses  |               |       |              |  |         |             |   |         |              |                            |         |              |
| Equals or exceeds \$25,000  | \$1,750                 | 241 licenses  |               |       |              |  |         |             |   |         |              |                            |         |              |
| <b>Judiciary, Law Enforcement, and Criminal Justice</b>   |                         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <b>Bill Title/Subject Matter:</b>   |                         | <b>Reducing Recidivism in Utah Prisons</b>                    |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Legislator(s) –Sponsor: |   |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Interested Parties:     | <b>Mr. Thomas Patterson, Executive Director UDOC</b>          |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Code Reference:         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <p><b>Description:</b> Director Patterson provided ongoing information on the programs offered to offenders to reduce recidivism and allow the offenders to succeed after leaving prison (MRT, UCI; treatment services – sex offender treatment, and substance abuse treatment). Treatment is critical for offenders prior to leaving prison. In Utah offenders returned to prison is primarily due to a parole violation. Average parole time is three years.</p> <p><i>Action: No action taken.</i></p>   |                         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <b>Bill Title/Subject Matter:</b>   |                         | <b>Prison Emergency Release</b>                               |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Legislator(s) –Sponsor: | <b>Rep. Eric Hutchings</b>                                    |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Interested Parties:     | <b>Ms. Jacey Skinner, Director Utah Sentencing Commission</b> |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Code Reference:         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <p><b>Description:</b> Defines levels of capacity regarding inmates in correctional institutions. Requires notice to the legislative leadership and the Board of Pardons, in addition to the governor, when an overcrowding emergency is approaching. Provides process for an emergency inmate release, including requiring that inmate information be provided to the Board of Pardons and Parole for use in carrying out an emergency release.</p> <p><i>Motion: Rep Greenwood made a motion for the Committee to support the draft legislation with possible amendments to the word “emergency.”</i></p> <p><i>Action: Passed out as a Committee bill.</i></p>   |                         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <b>Bill Title/Subject Matter:</b>   |                         | <b>Involuntary Civil Commitment</b>                           |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Legislator(s) –Sponsor: | <b>Rep. Brad Dee and Repo. Bradley M. Daw</b>                 |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Interested Parties:     | <b>Mr. Ron Gordon, Executive Director CCJJ</b>                |               |       |              |  |         |             |   |         |              |                            |         |              |
|   | Code Reference:         |   |               |       |              |  |         |             |   |         |              |                            |         |              |
| <b>Description:</b> This item was not heard.  |                         |   |               |       |              |  |         |             |   |         |              |                            |         |              |

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|---|---|
| <b>Bill Title/Subject Matter:</b>   | <b>Sex Offender Registry Amendments</b>   |
| Legislator(s) –Sponsor:   | <b>Rep. Jack Draxler, Rep. Fred Cox</b>   |
| Interested Parties:   | <b>Mr. Ron Gordon, Executive Director CCJJ</b>  |
| Code Reference:   | <b>H.B. 389 S1, 2011 General Session, Offender Registry Review<br/>H.B. 281, 2011 General Session, Sex Offender and Kidnapping Amendments</b> |
| <p><b>Description:</b><br/> <b>H.B. 389 S1:</b> Allows a person who has been convicted of the following to petition the court for removal from the Sex Offender and Kidnap Offender Registry after five years: unlawful sexual conduct with a 16 or 17 year old; unlawful sexual activity with a minor; or voyeurism. Sets a fee for filing the petition. Requires that the person have successfully completed any court-ordered treatment and not have any subsequent convictions. Requires that a copy of the petition be delivered to the prosecutor and victim. Gives the court discretion to order the person removed if it determines that the person is no longer a risk to society.</p> <p><b>H.B. 281:</b> <del>Provides that the registration information required of a defendant convicted of a specified registrable kidnap offense is not to be placed on the registry website if the conviction occurred between May 5, 2008 and May 11, 2010 unless the victim was younger than 18 years of age at the time of the offense.</del> Provides a judicial process by which a kidnap offender may petition the court for removal from the registry if the victim was 18 years of age or older.</p> <p><i>Motion: Rep. Ray made a motion to move to the next agenda item and have this draft legislation presented at a future meeting.</i></p> <p><i>Action: Motion passed unanimously.</i></p> |   |
| <b>Bill Title/Subject Matter:</b>   | <b>Released Prisoner Identification</b>   |
| Legislator(s) –Sponsor:   | <b>Sen. Mark Madsen</b>   |
| Interested Parties:   | <b>Mr. Matt Minkevitch, Director, The Road Home<br/>Mr. Tim Lewis, The Road Home<br/>Mr. Tim Foley, Volunteer at The Road Home</b>            |
| Code Reference:   |   |
| <p><b>Description:</b> Sen. Madsen discussed a letter from Dee Norton, Supervisor at Central Intake and Housing Administration regarding individuals leaving prison without key documents (social security cards, birth certificates, ID cards, etc.). The individuals are native-born inmates without Utah identification and they are hampered in seeking employment. Lack of having these documents results in a higher recidivism rate since the individuals cannot gain employment without proper identification. Sen. Madsen suggested meeting with Corrections and DPS on how best to remedy this problem while individuals are still incarcerated prior to release. Rep. Eliason may draft legislation.</p> <p><i>Motion: Rep Greenwood made a motion to hold over this item to the next meeting with direction to Sen. Madsen to have communication with DOC and DPS to determine how to work through the problem. Consider possible rule making options as well and report back to the Committee.</i></p> <p><i>Action: Motion passed unanimously.</i></p>  |   |