

**LEGISLATIVE INTERIM COMMITTEES -- OCTOBER 2013
and
2013 2nd SPECIAL LEGISLATIVE SESSION – OCTOBER 16, 2013**

Law Enforcement and Criminal Justice	
Bill Title/Subject Matter:	Housing State Inmates in County Jails
Legislator(s) – Sponsor:	
Interested Parties:	Mike Haddon, Deputy Director, Department of Corrections
Code Reference:	UCA §64-13e-106
<p>Description: Mr. Haddon provided the statutorily-required annual report regarding the FY 2013 annual incarceration rate [\$77.84 per day; with jail contracting at 73% of the rate (\$56.82 per day) for jails without programming verses 79% of the rate (\$61.49 per day) for counties with program services]. Actual compensation being paid to the county jails is \$46.85 per day for jails without programming and \$50.70 per day for jails with programming. The DOC is currently partnering with 20 county jails. <i>[Action: No action, information only.]</i></p>	
Bill Title/Subject Matter:	Drug Offender Reform Act (DORA)
Legislator(s) – Sponsor:	
Interested Parties:	Mary Lou Emerson, Director USAAV Dr. Ben Peterson, Director of Research, CCJJ
Code Reference:	UCA § 24-4-117(12)
<p>Description: Ms. Emerson and Dr. Peterson presented preliminary information on the DORA project. The final report will be presented at the November Interim Committee meeting. <i>[Action: No action, information only.]</i></p>	
Bill Title/Subject Matter:	Prison Facilities in Other States
Legislator(s) – Sponsor:	Sen. Todd Weiler
Interested Parties:	
Code Reference:	
<p>Description: Sen. Weiler provided information from the PRADA Board’s trip to Arizona last month. The group toured four prisons with two being privately owned and operated. The Board was treated quite well and the Arizona officials provided a lot of information. All four of the prisons have been built within the past ten years. <i>[Action: No action, information only.]</i></p>	

Judiciary	
Bill Title/Subject Matter:	DUI Report
Legislator(s) – Sponsor:	Mary Lou Emerson, Director USAAV
Interested Parties:	
Code Reference:	
<p>Description: Ms. Emerson presented the statutorily required DUI Report (preliminary). When the report is finalized, it will be available on the CCJJ web page www.justice.utah.gov. This report was also presented in the Transportation Interim Committee. <i>[Action: No action, information only.]</i></p>	
Bill Title/Subject Matter:	Administrative Subpoenas
Legislator(s) – Sponsor:	Rep. Kay L. McIff
Interested Parties:	Ron Gordon, Executive Director, CCJJ
Code Reference:	UCA §77-22-2.5(9) and (10)

Description: 2014FL-0333/003: Amends the reporting provisions of administrative subpoenas used for the collection of electronic records in criminal investigations of specified crimes, including sexual offenses against minors.

[Action: Sen. Madsen will work on revisions to this draft bill.]

Bill Title/Subject Matter:		Court System Modifications
Legislator(s) –Sponsor:	Rep. Jeremy A. Peterson	
Interested Parties:	Richard Schwermer, Assistant Court Administrator, AOC	
Code Reference:	AMENDS UCA §78A-1-101 and 102, 78A-2-108, 78A-5-102, 111, 78A-7-106, 78A10-301, and 78A-11-102 ENACTS UCA §78A-1-103.5, 78A-5a-101 through 111	
<p>Description: 2014FL-0426/002: Creates circuit courts within each judicial district. Provides jurisdiction over all misdemeanors and domestic issues, including divorce, child custody and parent-time, adoption, paternity, and child support. Removes jurisdiction of misdemeanors from justice courts. Provides for appointment of circuit court judges in the same manner as district court judges. Requires the appointment of a circuit court administrator by the state court administrator. Provides for the distribution of fines, fees, and surcharges. Enumerates the number of judges in each circuit.</p> <p>Information presented from Rep. Peterson: Current Problems Facing Utah’s Court System</p> <p>Justice Courts</p> <p><input type="checkbox"/> Trial de Novo is expensive to the taxpayer and inequitable to the cause of justice</p> <p><input type="checkbox"/> No traditional appellate oversight or peer review of verdicts exists</p> <p><input type="checkbox"/> Misdemeanors are being heard by judges who cannot be required to be law trained</p> <p><input type="checkbox"/> Judges handling cases ranging from parking tickets to DUI and domestic violence</p> <p>District Courts</p> <p><input type="checkbox"/> Family law cases being heard almost entirely by Commissioners instead of Judges</p> <p><input type="checkbox"/> Commissioners are not accountable to the people through retention elections</p> <p><input type="checkbox"/> Commissioners are not vetted and scrutinized the same way as Judges</p> <p><input type="checkbox"/> Commissioner heard cases are not requiring witnesses or sworn testimony</p> <p><i>[Action: No Action.]</i></p>		

Health and Human Services		
Bill Title/Subject Matter:		Underage and Binge Drinking
Legislator(s) –Sponsor:	Rep. Jack R. Draxler	
Interested Parties:		
Code Reference:	Amends UCA §59-15-101 and 59-15-109; Enacts 32B-2-307	
<p>Description: 2014FL-0153/005 (AMENDED) Creates the Alcoholic Beverage Prevention Restricted Account. Adjusts the beer excise tax rate by the consumer price index. Provides for deposits of certain money amounts adjusted by the consumer price index.</p> <p><i>[Action: No Action.]</i></p>		

Government Operations		
Bill Title/Subject Matter:		Governmental Purchases from the Division of Correctional Industries
Legislator(s) –Sponsor:	Sen. Scott Jenkins	
Interested Parties:	Josh Haines, Director, DFCM	
Code Reference:	Repeals and Reenacts UCA §63G-6a-804	
<p>Description: 2014FL-0292/005 Repeals a provision relating to the purchase of goods and services from the Division of Correctional Industries. Enacts a provision relating to the purchase of procurement items from the Division of Correctional Industries that: requires</p>		

executive branch procurement units to purchase from the Division a procurement item that the Division produces, subject to exceptions; encourages but does not require other procurement units to purchase from the Division; provides a process for appealing the Division director's decision relating to the purchase of procurement items from the Division; requires the director to publish an online catalog of procurement items that the Division provides; requires the applicable rulemaking authority to establish rules providing for exemptions from the requirement to purchase from the Division; and prohibits the Division from taking certain actions.

[Action: Due to issues surrounding the impact to UCI and other DOC programs, Sen. Jenkins agreed to hold the draft legislation and work with interested parties to re-draft the bill.]

Business and Labor

Bill Title/Subject Matter:		Alcohol Policy
Legislator(s) – Sponsor:		
Interested Parties:	James C. Fell, PIRE David H. Jernigan, Ph.D, John Hopkins Bloomberg School of Public Health	
Code Reference:		
Description: Mr. Fell made a PowerPoint presentation on why Utah should consider lowering the BAC from 0.08 to 0.05; in addition to a discussion on binge drinking and the impact of alcohol taxes. <i>[Action: No action, information only.]</i>		

2013 2nd SPECIAL LEGISLATIVE SESSION – OCTOBER 16, 2013

HB 2001 State Employee Benefit Amendments		Rep. Brad Dee Sen. Peter C. Knudson
	<p>PASSED Defines furlough. Authorizes certain state agencies to use existing resources from funds appropriated to the agency to pay fixed cost benefits and holiday leave benefits for state employees furloughed as a result of a reduction or loss in federal funding. Repeals the authorization on December 1, 2013. [FN: Allows state agencies to expend up to \$815,000 through December 1, 2013 from state funds previously appropriated for FY 2014. Bill provisions allow specific agencies to use existing resources for fixed cost benefits and holiday leave benefits for furloughed employees to cover potential shortfalls in federal funding occurring as a result of the federal government shutdown. The actual amount will depend on the total number of furloughed employees and total number of furlough days.]</p>	
HB 2002 Funding of Federal Programs		Rep. Brad Dee Sen. Ralph Okerlund
	<p>PASSED AMENDED Authorizes the Utah State Board of Education to use state funds to pay for Child Nutrition Programs to offset a loss in federal funding. Repeals the authorization on December 1, 2013. [FN: Could accelerate the expenditure of up to \$12 million from funds previously appropriated for FY 2014. Bill provisions allow the State Board of Education to use state Liquor Tax revenues appropriated to support child nutrition programs to cover potential shortfalls in federal funding occurring as a result of the federal government shutdown. The actual amount will vary depending on remaining federal funds currently available and the amount of cost reimbursements requested by meal providers.]</p>	

SB 2001 S1 National Park Funding**Sen. J. Stuart Adams****Rep. Don L. Ipson*****PASSED***

Authorizes funds in the Sovereign Lands Management Account to be used to pay one or more federal governmental entities for the ongoing operation of national parks, national monuments, and national recreation areas within the state. Repeals the authorization on December 2, 2013.

[FN: Appropriates \$8,661,700 one-time from the Sovereign Lands Management Restricted Account to the Division of Parks and Recreation for the operation of national parks, national monuments, and national recreation areas in the State of Utah.]