

General Session Update from Senator Aaron Osmond Week 3 – February 9th to February 15th, 2014

Dear Friends and Neighbors,

Week three is now over! What a week! We met on the floor for 2 hours daily. But we spent most of our time in standing or appropriations committee meetings both morning and afternoon, every day. At the beginning of the week we had passed just over 30 bills off of our Senate floor, but by the end of the week we had completed more than twice that many! It is a fast paced environment and it makes me all the more sensitive to carefully understand each bill and listen to the debate to ensure I am making good decisions on your behalf. Here is some more info about my week and important discussions that have happened for your review:

Status of My Bills in Progress

It was a busy week for me personally as well. During this week I presented 5 separate bills in committee:

- SJR 2 – Joint Resolution on Legislative Power. (Status: Bill Failed – The Senate Committee argued persuasively that my logic was in error. In the end, I agreed and we moved on to the next agenda item – good learning experience for me).
- SB 109 – Reading Clinic Expansion. (Status: Bill Failed - Do to miscommunications between a witness and the Senate Ed Committee, this bill was voted down. Since then I have met with all committee members and all have agreed to re-hear the bill but with reductions in the budget ask).
- SB 42 – Early Education. (Status: Bill passed unanimously. This bill would grants for schools to provide early ed pre-k for intergenerational poverty students).
- SB 39 – Home School Amendments. (Status: Bill passed unanimously. This bill expands the rights and freedoms of homeschool students and clarifies process for returning to Public Ed).
- SB 131 – Student Leadership Skills. (Status: Bill pass unanimously. This bill continues the grant programs for schools to offer student leadership skill programs).

I feel very good about the work that I have done this week and the progress of these bills. I will keep you in the loop as I debate these bills on the floor.

Special Floor Presentations and Recognitions This Week

Some days on the floor we take a few minutes for special presentations or recognitions. This week there was something unique to recognize every day:

- On Monday, we were joined by all of the fourth graders from Monroe Elementary as Senator Okerlund presented SB 41. This bill, suggested by the students, will change the official state tree from the Blue Spruce to the Quaking Aspen. Watch Senator Okerlund present the bill and you might learn something about the largest known living organism on earth. http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16525&meta_id=491742
- On Tuesday, the Senate, led by Senator Henderson, recognized the Utah All-State High School Art Show winners. The caliber of Art that these students produce is stunning. Here is a link to the presentation: http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16552&meta_id=492276
- On Wednesday, we recognized the 205th anniversary of Abraham Lincoln's birthday. Mr. James Getty inspired us with a recitation of President Lincoln's words. Next week, we will celebrate Washington-Lincoln Day. This link shows Mr. Getty on the senate floor and Senator Dayton explains why in Utah, we do not call the holiday President's Day: http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16585&meta_id=492819

- On Thursday, Senator Reid presented a Joint Resolution on a Museum Recognizing Atrocities against American Indians. http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16621&meta_id=493291. We had many guests and there were some poignant words spoken. Senator Reid gave some very touching comments about his feelings toward the American Indians.
- On Friday, we had another marriage proposal! Senator Shiozawa's son (an Air Force Officer) proposed to his long time girl friend: http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16653&meta_id=493719

Important Bills and Our Citizen Legislature

Three of the bills we heard on the floor were SB 173 Child Protection Amendments, SB 134 Taxation Related Referendum Amendments and SB 178 Controlled Substance Database Modifications. Senators Weiler, Valentine and Vickers sponsored these bills respectively. By profession these men are a family law attorney, a tax attorney and a pharmacist. One of the things that make a part-time legislature efficient is that our legislators, with their unique professional understanding, can see how legislation could affect other sections of the law or specific industries. Because of this hands-on practical perspective that we bring to the discussion, legislators can rely less on the information from lobbyists and have more direct access to the citizens they work with on a daily basis outside of session.

Understanding Lobbyists

Lobbyists are actually an important part of the legislative process. But it is important to keep our relationship with them as transparent as possible. One way we make lobbying actions more transparent is by requiring lobbyists to register and then publically disclose their financial dealings. You can see that information here: <http://lobbyist.utah.gov/Search/PublicSearch>. This year there will be several bills being run that deal with ethics and how we associate and interact with lobbyists. These bills are very important and I will be watching them closely. I support any legislation that makes our process more transparent.

The Legislative Process – Time Consuming but Important

The legislative process takes time. That is a good thing. It gives everyone time to catch flaws and consider the effects of any changes to our laws. Most ideas about necessary changes to our laws come to us from citizens, special interest groups, or government agencies. An example of this is one of my bills SB 149 – Drowsy Driving Amendments. This bill came to me from a constituent who has spent the last 15 years trying to raise awareness of the dangers of Drowsy Driving. This bill would formally set aside the 3rd week of August as Drowsy Driving Awareness Week. Here is a quick overview of the steps to get a bill through the process:

1. The first step in formulating the idea into a bill that could become law is to take the concern to the legislative attorneys who review the existing law, research the issue, check for statutory and constitutional problems and then draft the legislation.
2. During this time, the bill is "protected" by attorney client privilege. (The legislator and those who brought the idea are the clients.)
3. As soon as the language for the bill is complete it is given a number and made public and then it begins its way through the legislative process.
4. From that point on every change or action to the bill can be tracked online.

As a side note, please remember that I am interested in any input you would care to give on any bill in progress. Your insight is valuable to me. Please don't hesitate to share them with me. My contact info is below and I try to respond to every email.

Transportation Funding Policy – A Big Topic This Session

Transportation and roads are a critical, but not very glamorous discussion topic. Building, maintaining and repairing roads and bridges requires an enormous amount of funding and planning. Utah's Constitution specifies that the proceeds of "any tax, fee and other charges relating to the operation of vehicles on public highways must be used for highway purposes." Half of the transportation budget is revenue from motor our fuel taxes.

History of Our Motor Fuel Tax

Between 1976 and 2012 there was a 105% increase in the total gallons of fuel purchased in Utah. However, during those same years, there has been a 206 % increase in the number of vehicle miles traveled in the state. (As an obvious side note, the more miles traveled translates into more air pollution or in other words, a higher PM2.5 particulate volume.)

Today, the vehicles we use are more efficient. That is both the good news and the bad news. Fifteen years ago the average gas mile for a car was about 18 miles per gallon. Now we get about 25 miles to each gallon. That means the income and therefore buying power we receive to maintain and build the roads is not keeping pace with the increased road usage.

SB 139 – Controversial but Important Policy Conversation about Funding Road Maintenance

One bill that is addressing both this problem and the need to support clean air vehicles is Senator Harper's SB 139, Transportation Funding Revisions. Here is a link: <http://le.utah.gov/~2014/bills/static/SB0139.html>. There have been some in the media that have spoken out against this bill because it charges an increased fee to owners of electric and hybrid vehicles. Their argument is that this fee would discourage people from buying a car that might be better for the air. This bill is not about discouraging people to purchase cleaner, more efficient vehicles. It is about equalization and fairness.

Electric/Hybrid - Less Gas but More Road Miles – Who Pays for Maintenance?

I myself am an owner of Hybrid vehicle, but I recognize that I still use publically funded roads. While I have not decided my final position on any transportation bill, I do feel that all drivers should contribute to the cost of maintaining our roads, regardless of fuel type or efficiency. We all want to benefit from efficiency and technology. Electric vehicles are cheaper to operate and better for the air. But they are also expensive to purchase. Many in our state cannot afford a new electric car.

However, all vehicles create wear on our roads, not just the cars that use gasoline. As per our Constitution, a gas tax is a user fee to maintain the roads, but what about the people who drive cars that do not use gas? Should they be exempt from helping to maintain the roads that they use? It is unfair to require only those who cannot afford to purchase a newer more efficient car, to pay the tax that is used to maintain the roads that everyone uses. SB 139 would require all vehicles, regardless of fuel type, to pay a proportionate fee for their use and impact on maintaining roads. I want to know your thoughts. Please email me on this topic.

HB 74 – Tax Credit for Electric/Hybrid Vehicles

We DO want to encourage the use of vehicles that are better for the air. This is why SB 139 is being run as a companion bill to HB 74. HB 74 offers new tax credit to those who are in a financial position to purchase a new electric vehicle.

- Here is a link to Senator Harper talking about his bill. <http://utahpolicy.com/index.php/features/today-at-utah-policy/1758-harper-says-fee-hike-on-alternative-fuel-vehicles-is-necessary-to-maintain-roads-video>.
- And here is a link to the committee where SB 139 was discussed. It also has the committee discussion on the House bill that suggests we raise the speed limit in some parts of the state: http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=16601&meta_id=.

The Need to Change our Gas Tax

Because fuel tax revenues grow slower than sales and use tax revenues, our revenue from fuel tax has been almost the same since 2000. The fact that our roads are being used more and our current proportionate revenue from gas tax is decreasing means that we have no choice except to address the question of increasing the tax we pay on gasoline. Right now, Utah has the 24th lowest motor fuel tax rate in the U.S. The last time we raised the gas tax was in 1997.

SB 60 – Fuel Excise Tax Amendments - by Senator Valentine

Senator Valentine is running a bill that would alter our current gas tax collection structure. SB 60 would replace our current flat 24.5 cents per gallon with a two-part tax. The first part would remain a flat tax and be 14 cents per gallon, but the other half of the tax would be set at 3.69 percent and would be adjusted each year to keep up with inflation. This proposal would keep the burden of paying for road maintenance proportionate and meet the goal of having a more stable stream of money for the transportation budget.

The Impact of Federal Money on our Transportation Budget

A big factor in our need to stabilize our state's revenue in our transportation budget is the fact that we don't know what to expect from federal transportation sources--none of the states do, but all of the states rely on this money. The federal Highway Trust Fund account is struggling. Here is a link that shows the account's balances over the last few years. <http://www.fhwa.dot.gov/highwaytrustfund/>. As you can see, the most recent balance is considerably lower than past years. The same imbalance of additional road use and decreased gasoline purchase has affected federal revenue as well, and as with so many problems in Washington they seem to address problems only as they become a crisis. All this uncertainty about the availability of promised funds from the federal level makes it even more important that we address our transportation funding on a state level. Without a discussion of gas tax on the table, options for transportation funding becomes very limited.

Status on USTAR Situation

Last week I mentioned the situation with USTAR and the questions that arose from the audit done on it. Here is a video link to Senator Shiozawa discussing his bill on that issue. <http://utahpolicy.com/index.php/features/today-at-utah-policy/1746-shiozawa-introduces-legislation-calling-for-more-oversight-and-transparency-for-ustar-video>.

Status on Medicaid Expansion Situation

The Affordable Care Act has changed many things. One of the changes that impacts the state the most is the question of Medicaid expansion. Here are some thoughts on the issue from Senator Evan Vickers, who is a Pharmacist and very familiar with the challenges of Medicaid: <http://www.thespectrum.com/article/20140209/opinion/302090013>. The Medicaid expansion question is very important this session. I will do my best to keep you apprised on this important issue and the choices we are faced with as the session continues.

Non-Discrimination Bill Situation

Another subject that many of you have questioned me about is SB 100. This bill addresses non-discrimination for the LGBT community. As a Senate, we have decided that because of the pending court decision on Amendment 3 which defines marriage in our state, that it best not to discuss any legislative issue that would impact that decision one way or the other. We have a very limited time and political energy during the session. Due to that reality, our decision is to let the legal dust settle; let the muddy water clear; and emotions subside. We will tackle SB100 and the related issues when we have clarity on the Amendment 3 decision. In the past when we have had legislative issues that draw a great deal of emotion--having a cooling off period has served the state well. I support this decision for these reasons and others. If you would like to talk more about this with me, please feel free to contact me.

Other News to Note – Pro Cycling Events in Utah

Did you know Utah hosts one of only five UCI-sanctioned, multi-stage, North American pro cycling events? The Tour of Utah stands shoulder to shoulder with the most prestigious, professional bicycle stage race events and attracts worldwide attention as the top international cycling event that follows the Tour de France. Here is a great video recapping last year's race <http://vimeo.com/79703731>, and here is the link to the information about next year's event. <http://www.tourofutah.com/news/press-center/fact-sheet/>.

Well, that's it for now. Time to get some rest!

My best to you and your family,

Sincerely,

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