

General Session Update from Senator Aaron Osmond Week 5 – February 23rd to March 2nd, 2014

Dear Friends and Neighbors,

Wow. We have completed another busy week! We were literally in committee meetings or on the senate floor from 7 am until 6 or 7 pm every night this week. Yet, as of day 30, only 59% of the requested bills had been numbered and made public. There are still 131 bills in the process of being drafted with just 9 days in the session left to go! From my perspective we are way behind where we should be, but that could be a good thing. We will focus only on those bills that really matter and the rest will have to wait until another session.

Remembering Our Fallen Soldiers

On Friday, we had a very poignant presentation honoring Utah's fallen soldiers. Senator Christensen led us in a moment of silence. Here is a link if you would like the names of those we honored. I was very impressed with how Sen. Christensen handled the presentation:

http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=16904&meta_id=497502.

Clean Up Bills versus Significant Policy Bills

If you listen to floor debates you may hear someone introduce a bill as a "clean up" bill. That means that the bill fixes small problems or unintended consequences in existing statute. In many cases these bills move very quickly. Some bills, however take a long time to move through the process, for example, HB 71, dealing with "revenge porn" has taken over a month to vet and debate and has been substituted and amended several times. It is now on our floor and we continue to discuss it.

There are many bills that make significant changes to our public policy and discussion on these bills generally take more time, because we want to consider all aspects and possible ramifications. One bill that I am sponsoring that has moved slowly this session is SB 111 – Education Funding Equalization. This bill has raised lots of questions about the need to equalize local funding versus preserving local control, as well as should we equalize with new money over time or not. What I value most about the Legislative Process in Utah is that the issues are usually well vetted out by the time they pass or fail. I have learned to trust that process no matter the outcome for my bills.

Key Senate Bills that Were Discussed This Week

Some key Senate bills that we discussed this week were:

- SB 224 <http://le.utah.gov/~2014/bills/static/SB0224.html> addressing renewable energy tax credits.
- SB 70 that directs the Utah Transparency Advisory Board to identify and prioritize public information that would be appropriate for publication on the public information website. (The information must already be legally in possession of a state agency or political subdivision.) <http://le.utah.gov/~2014/bills/static/SB0070.html>
- And SB 167 is an interesting bill about creating regulations and rules for drones. It balances technical advances with privacy issues and would prohibit using drones to collecting data without a warrant. <http://le.utah.gov/~2014/bills/static/SB0167.html>

Key House Bills that Were Discussed This Week

Some key House bills (bills that began in the House) that we discussed were:

- HB 285, which would allow a designated representative of a victim to pursue restitution claims. <http://le.utah.gov/~2014/bills/static/HB0248.html>;
- HB 238, amends the provisions of the Election Code relating to local referenda. <http://le.utah.gov/~2014/bills/static/HB0238.html>;
- And Autism Program Amendments, HB88, changes the provisions of state insurance benefits to include the treatment of a greater number of patients with an autism spectrum disorder. <http://le.utah.gov/~2014/bills/static/HB0238.html>

My Bills That Were Heard and Discussed:

This week several of my key bills made slow but steady progress this week. Here is a quick synopsis:

- **SB 103 – Local Control of Classroom Time.** This bill finally passed the House this week. They made an amendment that reduced the potential number of days that could be used for Professional Development from 8 to 4 days (or 32 hours). It is now on to the Governor for final signature.
- **SB 111 - Education Funding Equalization.** This bill has passed the 2nd reading on the Senate Floor. The vote was 18 to 9 (with 2 absent). I six that voted “yes on 2”, meaning they still have concerns that must be addressed before final passage. More work to be done here.
- **SB 39 – Home School Amendments.** This bill was also passed on 2nd reading, but had much more support. I anticipate I will pass this on Monday without problem. Then its off to the House for debate.
- **SB 42 – Early Education.** I presented this bill on the floor but circled it before we voted. There are still some concerns from my colleagues about the differences between my bill for Intergenerational Poverty Children versus HB 96 by Rep. Hughes which has a broader audience and funds Pre-K with public private partnership dollars. More to be debated on this one this week.
- **SB 131 – Student Leadership Skills Grants.** This bill passed on 2nd reading as well this week 22 to 3 (with 4 absent). It should be no problem to pass this next week and send it to the House.
- **SB 215 – School Security Amendments.** This bill passed on 2nd reading as well nearly unanimously by 26 to 0 (with 3 absent). Several students from Copper Hills High School (who brought me the idea) were there in the gallery cheering me on. It was great. This should pass in the Senate this week and off to the House.

Final State Revenue Budget Numbers are In

We received our final budget numbers on Friday. All the work we did at the beginning of the session will help us see more clearly what the best path will be for our allocations. Here is a link of a video of Senator Hillyard discussing the newly released budget numbers and where we will go from here. <http://www.youtube.com/watch?v=rC—PdGIEt4>. Here is another link with more information about the budget itself: <http://www.senatesite.com/home/revenue-estimates-2014/>.

Air Quality Bill Status

I spent a lot of time last week reviewing the Air Quality Issue. We are still dealing with a slate of air quality bills. Senator Adams introduced a new one on Friday. SB243 would make it possible for those who are concerned about air quality and would like to help pay for solutions to contribute up to \$1 on their natural gas and electric utility bills. It is a voluntary payment. If anyone feels they cannot or would prefer not to pay, they can opt-out. Here is a link to the bill: <http://le.utah.gov/~2014/bills/static/SB0243.html>

The Medicaid Expansion Issue

One of the biggest issues we must address this session is Medicaid expansion. This is another example of federal decisions that the states must deal with. The question surrounding Medicaid expansion is now before us because of the decision that was made in June of 2012 by the Supreme Court.

The ACA or Obamacare Impact on Medicaid Expansion

The ACA (Affordable Care Act or "Obamacare") was designed to extend Medicaid eligibility up to 138% of the poverty level, but the decision of the Court was that the states could decide for themselves whether or not to expand that coverage. If a state decides to expand their Medicaid coverage fully, the Federal government has promised to pay for the price of expansion for the first three years. After those three years the states will be responsible for an increasing amount of the healthcare costs to cover those individuals. That increased coverage means that every state tax dollar we allocate to expanded Medicaid coverage is tax money that must be taken from another state budget like transportation, education, some other health and human services department.

The Long Term Financial Impacts of Medicaid Expansion

We need to be cognizant of the long-term financial unknowns that come with the commitment to expand the coverage because the terms and conditions within the parameters ACA legislation continue to change. The following link is to a graph that shows the spending in Medicaid and Medicare on a federal level. In 1962, total federal health spending was about 2% of federal expenditures. By 1992, it was 17% of the budget. It is now nearly 28% and in just a few years it will consume over 30% of the federal taxes we pay!:

- [http://www.brookings.edu/~media/Research/Files/Opinions/2014/02/26%204%20things%20to%20look%20for%20in%20obama%20budget%20wessel/4 things to look for in obama budget wessel figure%20 3 health.png](http://www.brookings.edu/~media/Research/Files/Opinions/2014/02/26%204%20things%20to%20look%20for%20in%20obama%20budget%20wessel/4%20things%20to%20look%20for%20in%20obama%20budget%20wessel%20figure%203%20health.png)

The Congressional Budget Office and the Joint Committee on Taxation reports that in the next decade, U.S. taxpayers will pay over \$1 trillion in new taxes to cover the requirements of ACA. Utah's portion will be nearly \$1 billion each year.

What Options Are We Considering for Medicaid Expansion?

There are several proposed plans and options being considered by the Legislature and the Governor:

1. One is to do nothing. We are not legally obligated to expand our program. We can choose to not expand.
2. Or we could accept full expansion. Full expansion means Utah would expand Medicaid eligibility to all adults who earn less than 138 percent of the federal poverty level, regardless of their ability to work. Many states have done this.
3. Beyond those two choices there is a spectrum of other options with varying amounts the state would pay for and various outcomes as to who would be covered at what rate. All of these "other options" would require approval from the federal government before we can implement them. The approval is called a "waiver".

The Catch 22 of Medicaid Expansion

The funding issue and the concern to cover needy individuals put us between the proverbial rock and hard place. Every time we take federal money, even though it is technically "our money" it comes with strings attached. It is not an easy decision. It is certainly not a simple "up or down" decision.

Actual Plans Now Being Considered

The following plans/bills are now being considered by both the House and the Senate and the Governor:

- Here is a link to information on the Governor's Medicaid plan:
http://www.utah.gov/governor/news_media/article.html?article=9747

- Senator Shiozawa has a proposal as to how we handle the situation described in this post:
<http://www.senatesite.com/home/medicaid-expansion/>
- Representative Dunnigan also has a proposal. There are two parts HB 141 and HB 401. Here are the links to his bills:
 - <http://le.utah.gov/~2014/bills/static/HB0141.html>
 - <http://le.utah.gov/~2014/bills/static/HB0401.html>
- And here is a link to Senate leadership discussing the options and differences that we will be considering over the next few days. <http://www.youtube.com/watch?v=uy03ewUzE40>
- Here is an op-ed by Senator Christensen about his thoughts on expansion.
<http://www.deseretnews.com/article/865592553/Medicaid-expansion-forces-charity.html?pg=all>

The problem is that there are so many unknowns in each choice, not the least of which is: Can we actually trust the federal government to keep the long-term commitments that they have made concerning Medicaid funding?

Other Interesting Announcements and Info from the State of Utah:

- Utah.gov just released OnTime for Glass, a first-of-its-kind transit-tracking app for Google Glass. If you are an owner of Google Glass the free app is available at <http://ontime.utah.gov>. With the app you will be able to receive notifications for an approaching train or bus, view route information and track real-time, public transportation vehicle locations.
- If you want to receive legislative updates on your tablet or phone, you can download the newly updated Utah Bill Watch app. This app will help you track bills and share lists of the bills you are tracking with others. You will be able to request notifications of status changes, search for bills by topic, number or legislator's name. Here is a link with more information. <http://www.senatesite.com/home/bill-watch-app/>
- On line version of the Life in Utah magazine has been released. Some of the articles include: Profiles on people (like gold-medal Olympian Derek Parra) and businesses (like Goldman Sachs) who choose to stay in our state, articles on higher education, Prosperity 2020, transportation, museums, festivals, farmers markets, international business, USTAR, health care, entertainment, the film industry, our national and state parks and profiles on Park City, Dixie, Cache Valley, Ogden, Utah Valley, and Salt Lake City.
<http://www.slideshare.net/saltlakechamber/life-in-utah-2014-edition>.

Well that is it for now. I hope that this information was and will be useful to you. My best to you and your family!
Sincerely,

Senator Aaron Osmond

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