

General Session Update from Senator Aaron Osmond Week 6 – March 3rd to March 9th, 2014

Dear Friends and Neighbors,

Well here is my last weekly newsletter for the session. Week 6 is now behind us and we have just four days left! I will sum up the session and its final impacts at the end of March in my monthly newsletters. I hope the following information will give you a sense of what has happened and what to expect for the final week of the 2014 General Legislative Session!

Six Weeks Down – 4 Days to Go – A Quick Summary

This past week we spent an enormous amount of time in our final committees, on the Senate floor, and working on the final budget. As an example, on Wednesday, we debated bills on the Senate floor until after 9 p.m. Here is a news story about our late night session that day: <http://fox13now.com/2014/03/05/utah-lawmakers-working-overtime-as-end-of-session-looms/>. Friday was the last day to pass any bill with a fiscal note of more than \$10,000. As of the end of the week, just over half of the House bills had been passed by the Legislature and just under half of the Senate's bills had been passed.

Next week will be the final week of the session. I admit that I am relieved the end is near. It has been an intense 6 weeks. Tuesday is the day that we will receive the final proposed general appropriations bills and school finance bills. Thursday is the final day to take action on those appropriations bills. We will probably meet on the floor between eight and ten hours every day for the next four days. On Thursday, our final day, whatever we have finished by midnight will be the end of our work.

What is the Status of our Budget Plans

The final budget numbers have been calculated. Now the Executive Appropriations Committee will take the budgets that each of the Sub-Appropriations Committees worked on during the first weeks of the session and put them together allocating the final funding for the next fiscal year.

This budgeting process requires both House and Senate agreement. The leadership teams meet and decide which among the individual priorities of the different houses are the most critical and negotiate allocations. Budgeting and agreeing on how the money should be spent is difficult. If for whatever reason we do not complete a final budget, we still have the base budgets that were passed and signed by the Governor at the first of the session from which to work. The federal government has in the past few years had a horrible time managing to get a budget passed, which is why there are federal government shutdowns and emergency spending bills.

Utah's Balanced Budget – Real Versus Faked

Utah has repeatedly been recognized as being one of the best-managed states in the nation. This accolade is due in large part because of our willingness to comply with our balanced budget amendment. I say willingness because the National Conference of State Legislatures says that even though some of the mandates are not especially clear, 49 of the 50 states actually have some sort of balanced budget requirement--but many states use a variety of number manipulating tricks to show on paper that their budget balances, when in reality they are deeply in debt.

One of the most frequent tactics employed by states to show balanced books is to underfund or simply not pay what is due to their state pension fund. Thankfully Utah is not in this situation. Several years ago we recognized the potential severity of this problem and took steps remedy the situation. Here is a link to an interesting article pointing out some of the deceptive ways that other states have chosen to "balance" their budgets and the effect it is having on those states and the nation: <http://www.statebudgetsolutions.org/publications/detail/the-worst-state-budget-gimmicks-of-2013>.

Key Senate Bills Passed this Last Week

Here are some of the senate bills we discussed as a body this week:

- SB 212 modifies the Division of Wildlife Resources' ability to eradicate and prevent the infestation of the Dreissena mussel. Managing our own wildlife and natural resources is critical to our state's ecosystem.
- SB 230 makes modifications necessary in the insurance code to address travel insurance.
- SB 178 makes modifications as to how pharmacy technicians can access the controlled substance database.
- SB 171 establishes a pilot program to implement a student-centered learning program.
- SB 89 amends the definition of a "public utility" to include a U.S. government entity.
- SB 122 addresses the rights of a parent or guardian of children in the public school system (**this is one my bills**).
- SB 73 allows farmers and ranchers to earn an Agriculture Certificate of Environmental Stewardship showing responsible management principles.
- SB 52 amends the transportation code relating to the relocation of utilities for state highway projects.
- SB 61 would solve a timing problem with Truth-in-Taxation hearings by allowing counties to hold the hearing when it approves its budget, rather than when the taxes are levied the following year.

You can read the text and see the progress and vote count of any of these bills at the legislature's web site at <http://le.utah.gov>.

Update on The Potential State Prison Move

On Friday the Senate Economic Development and Workforce Services Committee met to discuss three bills on the question of relocating the state prison:

- The first bill was HCR 8. It is a resolution saying that it is in the best interest of the State to build a new prison in a new location.
- The next bill was SB 286, this bill creates a commission that will find a site for the relocation and issue the RFP for the rebuild. The task of the commission, as they search for the new location, is to consider where families of inmates might be located, and that medical services and courts are conveniently located.
- The final bill SB 270 repeals the Prison Relocation and Development Authority. This board has spent the last two years looking at prisons in other states for best practices; the economic costs and benefits to Utah if the prison were to remain in its current location or be moved; and cost benefits of upgrading existing facilities vs. building new.

Disposition of Medical Waste and The Environment

Another bill discussed in the Senate was SB 196 dealing with the medical waste incineration plant called Stericycle located in North Salt Lake. If you are not aware of this situation, I would like to let you know about a few facts surrounding this issue. Keep in mind that any healthcare system requires proper waste management and certain medical wastes such as trace chemotherapy and non-hazardous pharmaceutical drugs are best managed through incineration rather than sending them to landfills.

Currently, Stericycle operates within its permits and if it is allowed to move to Tooele County, the standards it must comply with will be even more stringent. Also, Stericycle is not contributing much to the area's air quality problems. It

contributes less than 2/100 of 1% of total PM2.5 pollutants for the Salt Lake City non-attainment area. I will take these and other facts into consideration. Here is a bill being run by Senator Weiler that addresses the location of such businesses in the future. <http://le.utah.gov/~2014/bills/static/SB0196.html>.

Status of Count My Vote and the SB 54 Compromise

SB 54, the bill that modernizes Utah's election system to maximize voter participation has been passed and signed by the Governor. The new system will take effect on January 1, 2015, so elections held during the 2016 cycle will fall under the new rules. Here is a link to the press conference announcing the agreements of this compromise substitute bill: <http://www.youtube.com/watch?v=ZODQklZraoA> (You will need to go about 16 minutes into the recording until it actually begins).

Status of Medicaid Expansion Decision

The decision of whether to expand Medicaid and to what extent is still up in the air. Here are a couple of points to note:

- There are currently five proposals: One from the House, one from the Governor and three from the Senate.
- Senator Christensen introduced the newest proposal this week. Here is a link to information about his bill. <http://www.senatesite.com/home/charity-care-2/>.
- In this YouTube clip, President Niederhauser addresses the changes Senator Shiozawa is making amending his bill to support the Governor's proposal: <http://www.youtube.com/watch?v=UtO9Qj1XT9A&list=UUdij78NIHsdQN44Sq9nf0uA>.

In our deliberations, I want to be cautious and prudent and make what will be the best long-term decision, rather than just a short-term fix. Even with that in mind, there is no guarantee that what we choose will be approved at the Federal level. A couple more points to note:

- Here is an article explaining that other states are going through similar experiences as they deal with the same issue and questions. <http://www.washingtonpost.com/blogs/govbeat/wp/2014/03/04/four-states-manuever-on-medicaid-expansion/>. It's worth the read.
- And here is an article highlighting my biggest concern--that we never know if the questions we need to answer today about Medicaid will be relevant by next week. <http://www.galen.org/newsletters/changes-to-obamacare-so-far/>

A Great Op-Ed on Air Quality by Senator Adams

Cleaning the air cannot be done by government mandate alone. Here is an op-ed by Senator Adams about how important it is for all Utahans to do their part to clean our air: <http://www.senatesite.com/home/clean-air/#more-9968>.

Great Economic Announcement for Hill Air Force Base

This week Utah's Hill Air Force Base got some great news with the announcement of Congressional approval of construction funding of a new maintenance hangar at Hill Air Force Base for the F-35 stealth fighter jet. Hill's 388th Fighter Wing will perform the operational maintenance at Hill!

Utah State Flag Day

The 9th of March is Utah State Flag Day. 103 years ago, the Legislature adopted the first state flag. Three years ago Senator Madsen sponsored a resolution that corrected an 88-year-old mistake in the flag and established March 9 as our State's flag day. Here is a link with more information and pictures of the flag: <http://www.senatesite.com/home/flag-res/>.

More Transparency in Our Financial Calculations

It is frequently difficult to understand calculation formulas when they are written literally instead of mathematically in bills that involve taxes or funding mechanisms. This year in an attempt to simplify that problem and be as transparent as possible, mathematical formulas were legally drafted into the language of this sales tax bill. Here is a link to the bill, the equations begin on line 115. It's pretty cool to see the progress towards more transparency:

<http://le.utah.gov/~2014/bills/static/SB0188.html>.

In Memory of Cory B. Wride

SB 234 will rename Utah state route 73 the "Cory B. Wride Memorial Highway" in honor of Officer Wride who was shot on January 30 while sitting behind the wheel of his patrol car on the side of the highway. I was pleased to vote in favor of this bill and appreciate the risk and sacrifices our law enforcement officers and their families make each day.

Be Cautious of Fraud – Protect Your Personal Information

Earlier this week the Utah Division of Consumer Protection released a list of the top 10 complaints from Utah consumers. Fraud is always a problem and I would encourage you to be cautious and vigilant especially in protecting your personal information. Always ask questions and always examine the terms of agreement in writing, rather than just the information given during phone calls. Here is the link to the list: http://commerce.utah.gov/releases/14-03-03_dcp-top-ten.pdf

Daylight Savings – Should we Keep It?

We all just converted our clocks to daylight savings this weekend. This could be one of the last times that will happen in Utah. HB 197 is requesting a study of the possible impacts of exempting Utah from daylight savings. Here is the bill link: <http://le.utah.gov/~2014/bills/static/HB0197.html>. What are your thoughts on this issue? Let me know.

Well, that's enough for now. I will end by saying that it is a great honor for me to serve as your State Senator. I hope that you have found this information useful in staying abreast of what is happening on the hill.

Senator Aaron Osmond

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