

# General Session Update from Senator Aaron Osmond

## Week 1 – January 25<sup>th</sup> to January 31st, 2015

Dear Friends and Neighbors,

The 2015 Legislative session has finally come and we begin with heavy hearts due to the recent passing of our good friend and colleague former Speaker of the House, Becky Lockhart. With her recent passing we honor her in the commitment to represent and serve those throughout our great state as she did for so many years. We will miss her and hope that her husband Stan and her other family members can find peace in their hearts knowing she served Utah well. I look forward to this year as it has been deemed the “most ambitious legislative session in years”. With that being said I hope to provide these updates with a complete insight into the issues that I am working on.

### Honoring Speaker Lockhart

We honored the former Speaker with a resolution on Tuesday:

<https://twitter.com/utahsenate/status/560141243280146432/photo/1>

The House passed HR 3 honoring her on the first day of the session:

<http://le.utah.gov/~2015/bills/static/HR0003.html>

President Niederhauser remembers her here:

<http://www.senatesite.com/home/becky-lockhart/#more-11282>

Here are some thoughts on Becky from former Senator Dan Liljenquist:

<http://www.deseretnews.com/article/865620041/Gratitude-for-Lockharts-well-lived-life-and-service.html>

If you would like to make a donation in her honor, you can donate at [www.donate.supportutu.org/lockhart](http://www.donate.supportutu.org/lockhart) and you can pass on any thoughts or memories to her family at [beckylockhartmemories@gmail.com](mailto:beckylockhartmemories@gmail.com).

### Governor’s State of the State Address

This week we had the opportunity to listen to the State of the State address from our current Governor, Gary Herbert. There were many memorable moments in his speech, one being the urge to emphasize Utah's next "greatest generation". He addressed important needs including education, transportation and health care for the poor. Amongst many other things he called for a new state inspector general's office that would act independently "to ensure the highest levels of ethics and official conduct in state government." Here is a link to read his full speech:

<http://blog.governor.utah.gov/2015/01/governor-herbert-delivers-2015-state-of-the-state-address/>

### The Opening of the 2015 Legislative Session

Parallel to the theme of being “the most ambitious legislative sessions ever”, the first day we had 97 bills introduced, we were heard from President Niederhauser, and we heard from Utah’s Chief Justice Matthew Durrant. Here is a rundown of day one: <http://www.senatesite.com/home/1-26-2015/>. Along with the many bills already introduced and the many that are yet to come, a lot of issues will be discussed during this session. I have listed some of those issues below

### The Budget

In Utah, we are known for exercising fiscal caution. We are required by our state Constitution to pass a balanced budget, something that many other states and obviously our federal government does not do. A key element to our budgeting is the requirement of fiscal notes. Every bill is essentially given a "price tag" letting us (and you) know just how much it would cost the state (and therefore all of us as we pay taxes) to implement the bill if it were to become law.

Here is an explanation of the budgeting process: <http://www.senatesite.com/home/2015-budget/#more-11312>

This week, in order to facilitate that budgeting process, we had appropriations committee meetings each morning. These committees are comprised of both House and Senate members and have co-chairs from each body. Many of the bills proposed were connected to this budgeting process.

### **State School Board Elections**

Our current law allows a committee to review and recommend several names from each district to the Governor. The Governor then selects two names from each district's list to be on the final ballot. Last year, however, a judge ruled that this method is potentially unconstitutional. So considerations need to be made to change the law.

Senator Millner has put forth a proposal that would make board membership an appointed position. The Governor would put forth the name and then the candidate would then need the consent of the Senate. Here is a link to her bill: <http://le.utah.gov/~2015/bills/static/SJR005.html>

Senator Jackson also has a bill that would make state and local school board elections partisan elections, just like we do with our House and Senate elections. I support this option. I believe that the State School Board should be elected through the vetting process of a partisan convention, primary, and general election. However, I don't believe that this is the right option for Local School Boards, just our State School Board. Please let me know your thoughts on this issue.

### **Medicaid Expansion**

Since May of 2011, the Health System Reform Task Force has been discussing the impact that the ACA (Obamacare) will have on the state of Utah. Many of those discussions dealt specifically with the study and consideration of how to handle Optional Medicaid Expansion (the "donut hole") that Obamacare's implementation required from the states.

Last month the Task Force, after years of studying, listening and debating, narrowed its recommendations of how to expand. Contrary to what you may have heard, the Task Force did actually recommend to the legislature that Medicaid be expanded. The two plans endorsed by the committee both expanded the coverage definition of "medically frail." They did not however, advocate the Governor's Healthy Utah plan as a practical solution.

The Committee found Healthy Utah to be untenable for a number of reasons, but the most alarming is the unpredictability of the future funding needs. Other states have staggered under covering the cost of the more than double the predicted enrollment of those who are in "the gap." Further, even if our assumed enrollment numbers are correct, in a mere four years, the cost to cover those able-bodied individuals within that "gap" could easily exceed \$80 million. In six years the cost would be close to \$100 million.

Here is a link to the recording of the Task Force meeting where the recommendations were given: <http://le.utah.gov/asp/interim/Commit.asp?Year=2014&Com=TSKHSR>.

I believe that we will pass some form of Medicaid Expansion this year. Right now I am leaning more towards the Governor's Healthy Utah plan. However, I am nervous that both the Medically Frail plan, recommended by the Legislature, and the Healthy Utah Plan have serious potential long-term costs to Utahns. However, we are already paying nearly \$900 million dollars in Utah taxes that our going out of the state whether we like it or not. If we can get most if not all of that back to assist us in reducing the cost of health care, it could be a net benefit. I welcome your thoughts on this issue.

### **Gas Tax**

No one likes tax increases, but maintaining and building roads is one of the responsibilities of government and the way government pays for anything is through taxes. Things like baby-boomers who are driving less, more fuel-efficient cars, alternative energy, domestic vs. foreign oil production, increased availability of public transportation and many unknowns about federal funding sources and amounts are requiring us to reassess spending and funding.

Gas tax increases has been a topic for years. Revenue from gas tax is dedicated to construction and road maintenance. Currently, gas tax is assessed as a flat fee on a per-gallon purchase basis. But as consumption decreases, it erodes the revenue stream and when that is coupled with inflation, the real purchasing power of the gas tax revenue is decreased even further. Right now gas tax revenue has lost close to half of its purchasing power since the tax was last increased in 1997, but during those same years, the construction costs for road building and maintenance has increased nearly 300%. The Legislature's Interim Transportation Committee held a special meeting in Vernal last month to consider how to cover what could be an \$11 billion shortfall for priority projects needed by the state to keep up with growth and maintenance in the next 25 years. The committee has been working on this problem for well over a year. We will look at the different funding/taxing options as the session progresses.

### **Religious Freedom and LGBT rights**

I believe that **all** people deserve respect and should be treated kindly with fairness. Retaliation for expressing ones beliefs should never be tolerated. I am worried that there are people in our state who feel that they are wrongly discriminated against and I am worried that there seems to rapid attrition in people's ability to feel safe about professing their belief in a God. Regardless of whether you are religious, I think you will see the value that I see in this video that I shared with a colleague a few weeks ago. I thought it was particularly poignant as we contemplate the issue in our state.<https://www.youtube.com/embed/YjntXYDPw44>

### **The Right to Use Wood Stoves**

Heating your home or even just enjoying a cozy evening in front of the fire will be one of the issues discussed during the session. Last year, in his State of the State Address, the Governor proposed that wood burning be banned from November to March. The Department of Environmental Quality is considering implementing the directive. The DEQ has held several public meetings across the state and to collect and tabulate public comment.

Here are some links to news stories that covered two of the events:

- [http://news.hjnews.com/allaccess/percent-not-in-favor-hundreds-gather-to-speak-out-against/article\\_a8daa2fa-a1f2-11e4-af08-3feccab0db29.html](http://news.hjnews.com/allaccess/percent-not-in-favor-hundreds-gather-to-speak-out-against/article_a8daa2fa-a1f2-11e4-af08-3feccab0db29.html)
- <http://fox13now.com/2015/01/29/hundreds-gather-for-final-public-comment-meeting-on-proposed-wood-burning-ban-in-utah/>

### **Status of My Bills**

I have been working hard with my constituents, fellow legislators and my staff in assuring that we are able to address the needs of those I represent. I look forward to presenting these bills throughout the session and providing you all with updates as they progress. Here is a list and status of a few of my bills that have progressed this week:

- **SB 33 – PUBLIC SCHOOL GRADUATION AMENDMENTS** (Status: Favorable recommendation, waiting on vote: Requires public schools to better prepare kids for early graduation by providing an eighth grade student and the student's parent or guardian necessary information to do so. It increases the centennial scholarship amount for students who graduate high school early to \$2000.00
- **SB 37 – DATA REPORTING REGARDING FRONT-LINE TEACHERS.** (Status: Favorable Recommendation, waiting on vote: requires the State Board of Education to report data to the Education Interim Committee on the allocation of resources for front-line teachers; and make the data available on the Internet.)
- **SB 38 – BEHAVIORAL TESTING AND TRACKING RESTRICTIONS.** (Status Favorable Recommendation, waiting on vote: eliminates references to behavioral testing or tracking in public schools; and makes technical changes.).

**Here is list of some bills that I to co-sponsor as a member of the Senate (These have already passed in the House):**

- **HB 18 – CHILDREN'S HEARING AID PROGRAM AMENDMENTS.** (Status: Favorable recommendation, waiting on Senate to vote: Converts the Children's Hearing Aid Pilot Program to a permanent program, modifies eligibility requirements for the program and establishes a repeal date for certain sections of the Utah Health Code).
- **HB 20– JURY DUTY AMENDMENTS.** (Status: Waiting to be heard in Senate Committee: Exempts counties of the fourth, fifth, and sixth class and counties of the third class with populations up to 75,000 from certain jury service requirements.).

Well that's enough for this week. I hope you have found this information useful. Please feel free to reach out to me with any questions or concerns.

My best to you and your family,

Sincerely,

**Senator Aaron Osmond**

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