

General Session Update from Senator Aaron Osmond

Week 3 – February 8th to February 14th, 2015

Dear Friends and Neighbors,

The 3rd week is now behind us, which means we only have 4 weeks left in the Session! It feels like time has been very compressed. There is so much to do and so little time to get our work done. As a Senate, we are working diligently to carefully review each piece of legislation in front of us. It is challenging work. I want you to know that I am anxious about every vote and that I carefully listen to the dialog and discussion of each bill.

This year the Utah Legislature has over 1200 bills that have been opened, on average we historically had only about 800 bills. With our limited time up hear, the chances are that many of these bills will never be heard in both houses. There just isn't time, and that's ok with me. The sheer number of bills aligns well with our unofficial theme of the session ... "the most ambitious year ever".

I once again cannot express the gratitude and appreciation for those I represent. I appreciate your emails, phone calls, and notes to me. I may not be able to physically respond to each contact, but please know that I am reading and considering every note that comes to me. I am honored to represent you!

Committee Work

We increased our time on the floor this week, but our appropriations committees still met each morning as well.

In Monday's Infrastructure and General Government Appropriations Subcommittee, the committee had reports and requests from several of the state's universities, the Huntsman Cancer Institute, UDOT and a few other state departments. Other committees had long lists of requests and reports throughout the week as well.

We spent a lot of time on the budget and do our best to vet requests and allocate state funds judiciously. I am grateful we are not in the same situation as Kansas. They recently announced that they will cut their public and higher education budgets because their funding levels are simply unsustainable. They are doing this just to remain solvent! These cuts are REAL cuts, not reallocation adjustments like we are doing with our education budgets. Here is more information on their situation: <http://upr.org/post/kansas-will-cut-education-funding-help-close-budget-gap>

Public and Higher Education Budget Process

Here is an article that has a good explanation of what Utah's two education budgets went through the past two weeks and what each funding request will go through before they are finally passed and signed into law. This is a good read, please take the time to read this: <http://www.deseretnews.com/article/print/865621636/House-Senate-approve-base-budgets-for-public-higher-education.html>

Understanding the Legislative Process – More Insights ...

Here is a little more information about how bills are passed ...

How to Track a Bill through the Process

The first step is to have the bill introduced on the floor. That is called the "first reading" and it is nothing more than introducing the bill by reading the title and the sponsor. Then the bill is sent to the rules committee. That committee assigns the bill to an appropriate standing committee where its sponsor presents it and testimony is taken either for or against the bill. Anyone (legislators, "experts" and the general public) can participate and

speak to the bill in the committee. If the bill passes with a favorable vote out of the committee it is returned to the floor and placed on the "second reading calendar" for its "second read."

At this point, the bill is debated on the floor. If it passes the 2nd Reading vote it is advanced to the "third reading calendar" for a final vote. If this vote is successful, it is passed to the other body where the entire process is repeated.

Occasionally, amendments to the bill are made when it is on the non-originating body, if that happens, the bill must be returned to the floor where it originated, so that the new changes can be discussed and voted on, but when the bill is returned to its original floor it is sent to the concurrence calendar for discussion. Once the bill has passed successfully off of both floors it is sent to the governor for his consideration and he either signs or vetoes it.

It is a long process, but I like the fact that this process ensures that each idea is carefully considered and vetted. Even with this long process, sometimes mistakes are made or we miss potential unintended consequences. This is why it is so important to read and understand every bill before a vote is taken.

Major Issues and Bills Discussed

Here is a list of key bills that were discussed last week:

SB 100 – Non-Discrimination. There has been a great deal of talk in the press about nondiscrimination legislation that would protect religious actions and viewpoints as well as LGBT actions and viewpoints. I am committed to finding balance between the two issues, but it will take a considerable amount of discussion before a decision is reached. Here is a very thoughtful article on the need for religious tolerance from a Jewish professor of Political Science in Missouri: <http://www.breakpoint.org/bpcommentaries/entry/12/26856>

SB 64 (1st Substitute), Utah Educational Savings Plan Amendments by Sen. Todd Weiler, modifies tax credit provisions related to the Utah Educational Savings Plan to allow for a portion of an individual income tax refund to be contributed to a qualifying Utah Educational Savings Plan. UESP Executive Director Lynne Ward has worked closely with Senator Weiler on this bill. Current statute only allows for an individual's entire income tax refund to be contributed. The changes would make it possible to choose to contribute all or part of the refund. The bill was passed unanimously by the Senate Business and Labor Committee and awaits further consideration by the Senate.

SB 65 In-state Tuition for Families of Fallen Public Safety Officers Amendments sponsored by Senator Bramble, changes the current statute of providing tuition waivers for a surviving family member of a police officer or firefighter killed in the line of duty to include education fees as well. The bill has been passed by the Senate and is now in the House.

SJR 8 is on our floor this week. This resolution sponsored by Senator Weiler, deals with the every growing problem of executive orders coming out of out of the White House. The resolution urges congress to pass what is called the "Regulation Freedom Amendment" the measure would provide a stop-gap for whereby Congress could keep executive orders in check. If 25% of either the House or the Senate objected to the Order, then a majority vote would be required for it to go into effect. Here is a link to the resolution: <http://le.utah.gov/~2015/bills/static/SJR008.html>.

HB 197. You can read this bill at the following web site: <http://le.utah.gov/~2015/bills/static/HB0197.html>. Senator Adams is the senate sponsor of this bill that would make administrative or supervisory jobs in education open to people who did not necessarily come up "through the ranks" in public education. We, like most states, are dealing with teacher and administrator shortages. This is an opportunity for Utah to lead out and provide a way to tap into other sources of qualified people to fill administrative roles in our education system. As the law

stands now, our State Superintendent Brad Smith, could not be hired as a school principal because he has not advanced through the public education licensing or education graduate programs. Here is a news article about the thought process behind the bill. Here is an article on this topic:

<http://www.standard.net/Education/2015/02/11/Bill-opens-door-to-non-educator-school-administrators.html>.

Other Issues and Discussions from Last Week

Here are Senator Christensen's thoughts on a sustainable health coverage plan for Utah.

<http://www.senatesite.com/home/charity-care/#more-11600>.

How the state school board should be elected or appointed continues to be a topic of considerable discussion. Here is a link to a radio interview with Senator Jackson about his thoughts on the subject:

<http://www.senatesite.com/home/kvnu-jackson/>

Protecting our privacy in the digital world we live in is becoming more and more of a concern. There are several bills addressing this issue especially as they deal with data collection on children. Here is a link to a series of articles that shows how broad and deep this issue really is:

<http://www.sciencemag.org/site/special/privacy/>.

Status of My Bills

Here is a summary of this week's progress on those bills I am personally sponsoring:

- **SB 33 – PUBLIC SCHOOL GRADUATION AMENDMENTS** (Status: Passed on the Senate Floor, is now on to the House). 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 also increases the centennial scholarship amount for students who graduate high school early to \$2,000.00.
- **Sb 34- CHARTER SCHOOL AUTHORIZATION AMENDMENTS** (Status: Failed in Committee). This bill would have allowed a municipal legislative body to authorize a charter school to locate within the municipality's boundaries with specific procedures in regards to how and where they can be created. The Senate Education Committee was split 3 to 3 on this vote and it failed.
- **SB 37 – DATA REPORTING REGARDING FRONT-LINE TEACHERS.** (Status: Passed in Committee, Waiting on 2nd Reading on Senate Floor). This bill requires the State Board of Education to report data to the Education Interim Committee on the number of true front-line teachers in each district and the amount of money we spend on those teachers. It also requires that this data be available on the Internet for public use. I have a commitment from the State Board of Education to try and address this issue in Board Rule, so I am holding this on 2nd Reading until that happens.
- **SB 38 – BEHAVIORAL TESTING AND TRACKING RESTRICTIONS.** (Status: Passed on the Senate floor, sent to the House). This bill eliminates references to behavioral testing or tracking in public schools when not related to Special Education; and makes technical changes.
- **SB 53- STATE DOMESTIC ANIMAL.** (Status: Passed in Senate Committee, waiting to be heard on the Senate Floor). This bill designates Golden Retriever as the State Domestic Animal. This bill was inspired and created with the help of the children of Daybreak Elementary.
- **SB 54- CREDIT MONITORING FOR MINORS.** (Status: Passed in Committee, waiting to be heard on the Senate Floor). This bill modifies and enacts provisions of the Consumer Credit Protection Act

relating to certain minors, incapacitated adults, and protected persons, it allows for the legal guardian to place a hold or “freeze” on the minor’s credit until they are 18. This is a bill that has been given significant help from the students of Carol Shackelford at Bingham High School. Thanks once again to Bingham High School for helping me present this bill to committee.

- **SB 97- PROPERTY TAX EQUALIZATION AMENDMENTS** . (Status: Passed in Senate Rev and Tax Committee. We have a Time Certain for this bill to be heard on the Senate Floor on Tuesday, Feb 17th at 10:30am. Please listen in. This bill makes changes related to school property tax funding to ensure each school district is funded equitably for local property taxes.
 - **Want More Information?** Again, here is a link to a set of videos, presentation, and a detailed explanation document that gives much more detail about this bill:
<http://www.senatesite.com/home/property-tax-equalization/#more-11636>
- **SB 114- BOARD OF EDUCATION COMPENSATION AMENDMENTS.** (Status: Passed in Committee, waiting to be heard on the Senate Floor). This bill requires a review of the compensation of members of the State Board of Education by the Executive Officer and Judicial Compensation Review Board. It requires the Legislature to consider the recommendations of the Board.
- **SB 117- INTERVENTIONS FOR READING DIFFICULTIES PILOT** (Status: Passed in Committee, waiting to be heard on the Senate Floor). This bill creates a pilot program to provide interventions for students at risk for, or experiencing, reading difficulties, including dyslexia for students in kindergarten through grade 5 who are at risk.
- **SB 167- JUVENILE OFFENDER AMENDMENTS** (Status: Passed in Committee, waiting to be heard on the Senate Floor). This bill adds a specific list of previous offenses and conditions to the statute that allows for the direct filing of charges against a youth in adult court, it also adds new restrictions to the serious youth offender statute. It creates guidelines for housing a minor convicted in adult court to be in a juvenile secure facility. It also requires that the court determine that a minor is knowingly and intentionally waiving counsel if they do; and sets a presumption that juveniles are not to be shackled when appearing in court unless ordered by the court.

Well, that’s enough for this week. Thanks again for your support; I appreciate this opportunity to serve you!

My best to you and your family,
Sincerely,

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