

General Session Update from Senator Aaron Osmond

Week 6 – March 1st to March 7th 2015

Dear Friends and Neighbors,

Time flies, especially during the General Legislative Session! We are now going into the last week of the session. This next week is like running a “marathon” of sorts. There are a huge number of bills that have yet to be heard. In fact, last week we tried to catch up on our work by adding additional floor time on multiple nights. If the past is any kind of indicator, I anticipate we will be staying late every night this week to capture as much floor time as possible. We all know this is part of the process and we even look forward this final stretch every year.

As we work through this final week, I want to express appreciation now for your input and suggestions as I face important votes and decisions on behalf of our District. Please reach out to me. I do pay attention to your emails and voice mails.

Here is a summary of key happenings in the last week for your review ...

The Budget Process Coming to an End

After weeks of study and deliberation the appropriations sub-committees have passed on their final budget requests. Tough choices had to be made in every committee distinguishing needs from wants. The committees recommend their top priority items and send their final lists to the Executive Appropriations Committee, who makes the final budget decisions.

- Here is some information about how the Executive Appropriations Committee and how the committee actually works: <http://www.senatesite.com/home/exec-approps-blog/#more-6251>.
- Here is a link to the most recent funding list that will be fine-tuned by the Executive Appropriations Committee over the next few days: <http://www.senatesite.com/2015Budget.pdf>.

Remember, Utah has a Constitutional requirement that we pass a balanced budget by midnight on the last day of session. That requirement and our compliance with that mandate has been the driving force behind the State's high financial stability rankings and one of the main reasons are state is often considered the best financially managed state in the nation.

150th Anniversary of Abraham Lincoln's 2nd Inaugural Address

I am a huge President Lincoln fan. Wednesday of this last week was the 150th anniversary of Abraham Lincoln's second inaugural address that admonished "malice toward none; with charity for all..." reminding us of the critical need to balance moral truths. Here are some interesting articles about this speech for your enjoyment:

- UVU President Matthew Holland is something of a scholar on President Lincoln. Here is a link to an article he recently wrote about the speech: http://www.thepublicdiscourse.com/2015/03/14580/?utm_source=The+Witherspoon+Institute&utm_campaign=2d89259457-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_15ce6af37b-2d89259457-84151977.

- And here is another article about why his message has endured so well:

http://hereandnow.wbur.org/2015/03/04/lincoln-second-inaugural?utm_medium=RSS&utm_campaign=storiesfromnpr

Visitors on the Hill

On Wednesday- We had a little fun when we were surprised with a visit from some local rockers, the Neon Trees. I had the opportunity to personally introduce the band to the Senate. Although many of the legislators did not have the slightest idea of who they were, it was still a lot of fun to have them visit us (and break up the monotony of bill presentations). We thanked the whole band for the way in which they have given our youth a good example of being drug and alcohol free in the entertainment industry. They are proving that abstaining from these negative influences does not block you from success in any endeavor you may choose. Also I would like to thank them for the impromptu song they shared with us towards the end of their visit on the floor. It was great!

Major Issues and Bills Discussed

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

SB 60, this bill requires High School students to pass a citizenship test; it has now passed the Senate and is on its way to the House. Utah is not the only state to take such measures several other states have already passed it into law. Here is a link to some possible test questions <http://www.deseretnews.com/top/3036/0/Can-you-name-your-US-Representative-See-how-you-do-on-this-civics-test.html>

Status of Medicaid expansion on Wednesday there was the hearing in the House Business and Labor committee regarding Medicaid expansion. The Committee had a long debate on both the House version and the Senate version of how to implement healthcare coverage. Some members of the committee said that the reason they could not vote for the Senate's plan was because the majority of their constituents did not agree with it. Other members of the committee said that they thought that although the Healthy Utah plan was untenable because it was only a pilot program. In the end the House choose to pass **HB 446**, which has been dubbed "Utah Cares" bill. his bill will come to Senate floor for us to discuss next week. Here is a link to the recording of the committee meeting where the debates on both bills took place:

http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=18738&meta_id=238470

Transportation & Fuel Taxes and the question of how to fund it continue to be at the forefront of discussions and will continue into next week. We have to remember that transportation is more than just getting from here to there--it is about getting from here to there safely and efficiently. We cannot safely ignore the maintenance of our roads and at this point it appears that we are facing an \$11 billion deficit to pay for road maintenance by year 2040. No one wants a tax increase but in this case there may be no choice. We have several scenarios on the table that we are considering as to how the best way to manage the problem and plan for the future. One would add 6 cents per gallon that would increase incrementally until it reaches a dime. Another would calculate the average wholesale price of fuel from the previous year and multiple that by the percentage-based tax set by the legislature, which then converts that amount to the cents-per-gallon for collection purposes. It's complicated and it controversial. I welcome your feedback and guidance on this topic.

SB296 Non-Discrimination and Religious Freedom Vote. On Wednesday morning, there was a press conference announcing the release of SB 296, a bill that addresses religious liberties and non-discrimination issues. The bill would give churches and religious organizations (including religious schools) the ability to use religious criteria in making employment decisions. Small businesses (with 15 or fewer employees) would be able to hire based on religious and value-based criteria. The Boy Scouts of America fall into the same category.

The bill would also ensure that employees could express their religious commitments in the work place. And employers would be able to establish employment regulations that are consistent with their values. In terms of housing, landlords renting from their homes or renting small units would be able to determine who will be in those spaces without interference. Churches and religious organizations that own noncommercial housing units would be able to give preferences to those of their own faith and religious schools would be able to establish value-based standards for student housing.

SB 296 also provides for basic rights for the beliefs of marriage and family for people of faith as well as carving out non-discrimination protections in housing and employment for the LGBT community. It also creates a balanced live-and-let-live approach affirming that one person's rights do not come at the expense of another's. It achieves a balance in protecting the freedoms of all people, while respecting those with differing values. Senator Adams and Senator Urquhart were both listed as chief sponsors of the bill.

I made the decision to vote in **favor** of this bill on the Senate Floor. I want to be clear that the primary reason I voted for this bill was because of the direct endorsement of the bill by the leadership of the Church of Jesus Christ of Latter-day Saints. While I am very careful to ensure that my votes on every issue in the Utah Legislature are based on my personal convictions and my own understanding of an issue, when making critical policy decisions about public morality, and as an active member of the Church, I look to the leadership of the Church for guidance and perspective on these kinds of issues. Their endorsement of this bill was a significant influence on my favorable vote.

I did not anticipate that this kind of compromise could be achieved. In fact, I have historically voted against any bill that established a protected class for sexual orientation. While there are things in the bill that I believe still need to be fine-tuned, I believe the right balance between anti-discrimination policy and religious liberty has been achieved in this bill. I sincerely welcome your feedback on my vote.

Here is some more information about the bill for you to study:

- Here is a link to the actual bill: <http://le.utah.gov/~2015/bills/static/SB0296.html>
- Here is a little more explanation of the bill: <http://www.senatesite.com/home/sb296/>
- Here is a link to our live stream recording of the press event: <http://www.senatesite.com/home/nondiscrimination-2015/>

Constitutional Convention Decision. Utah is now the 26th state to pass a resolution supporting the idea of adding an amendment to the U.S. Constitution that would require a balanced budget. I voted in **favor** for this resolution because I believe that the Founders of the Constitution understood that a time could come when the Federal Government might consistently act outside of its constitutional limits. The Founders knew the states would need a way to act as a check to the Federal Government when its elected representatives would not limit themselves.

Article V of the Constitution enables that check and balance. Even if we can get the necessary states to agree to hold a convention, and even if we pass a balanced budget amendment, we will still need 38 states to ratify the final amendment. But the most important reason I supported this call for a convention is that I believe that that states need to stop bending over to Federal overreach. We need to take a stand. We need to show the Federal Government that the states will act and that we will not tolerate the Federal Government in its continued disregard for State sovereignty and its disregard for the Constitution itself. I welcome your thoughts on this issues as well.

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 3rd reading in the House after being reconsidered). 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 37 – DATA REPORTING REGARDING FRONT-LINE TEACHERS.** (Status: Passed on Senate Floor, waiting to be heard in House Committee). 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.
- **SB 38 – BEHAVIORAL TESTING AND TRACKING RESTRICTIONS.** (Status: Passed. Waiting on signature from Governor). 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. Currently being held in rules by the House Rules Committee – because they don't want to hear this bill – saying there are more important issues to address). While I agree that is the case, this bill was brought to the legislature by a 4th grade class at Daybreak Elementary. This bill was a chance for these kids to experience the political process. I just did not anticipate they would experience this part of the process where a few legislators decided to hold the bill on behalf of the whole legislature. But it does happen. This bill designates Golden Retriever as the State Domestic Animal.
- **SB 54- CREDIT MONITORING FOR MINORS.** (Status: Passed in Senate. Passed in House Committee and House Floor. Now waiting on Governor's signature). 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.
- **SB 97- PROPERTY TAX EQUALIZATION AMENDMENTS .** (Status: Passed in Senate, Passed in House Committee, and is now in the House 3rd reading) This bill makes changes related to school property tax funding to ensure each school district is funded equitably for local property taxes.
- **SB 114- BOARD OF EDUCATION COMPENSATION AMENDMENTS.** (Status: Passed in Senate, Passed in House Committee, now on House 3rd reading). 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 116- PUBLIC SCHOOL DROPOUT RECOVERY.** (Passed in Senate, Passed in House Committee, now in the House for 3rd Reading) This bill requires public schools to actively provide dropout recovery services.
- **SB 117- INTERVENTIONS FOR READING DIFFICULTIES PILOT** (Status: Passed in Senate, Passed in House Committee, now in House for 3rd Reading). This bill creates a pilot program to provide teacher training and specific interventions for students at risk for, or experiencing, reading difficulties, including dyslexia for students in kindergarten through grade 5.

- **SB 167- JUVENILE OFFENDER AMENDMENTS** (Status: Passed in the Senate, Passed in House Committee. Now in the House for 3rd Reading). 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.
- **SB 204- PARENTAL RIGHTS IN PUBLIC EDUCATION** (Status: Passed in Senate. Waiting to be heard in the House Education Committee). This bill amends provisions related to certain rights of a parent or guardian of a student enrolled in a public school and provisions related to achievement tests. Amends provisions related to a parent's or guardian's right to excuse a student from attendance for certain purposes; amends provisions related to a parent's or guardian's right to excuse a student from taking certain tests; provides that an accommodation to certain rights of a parent or guardian may only be provided if the accommodation is consistent with federal law and a student's Individualized Education Plan.
- **SB 223- USTAR GOVERNANCE AMENDMENTS** (Status: Passed in Senate, Passed in the House Committee, now in the House for 3rd Reading). This bill modifies provisions regarding the Utah Science Technology and Research requires that prospective gubernatorial appointees to the Utah Science Technology Research Governing Authority be approved by the Senate; gives the appointing bodies to remove a member of the Utah Science Technology and Research Governing Authority before a member's term is completed; modifies provisions of the technology outreach innovation program; and makes technical changes.
- **SB 262- INTERGENERATIONAL POVERTY EDUCATION** (Status: Passed in Senate Committee. Waiting to be heard on Senate floor). This bill provides education funding for persons in intergenerational poverty by enacting the Intergenerational Poverty Education Act, the Income Tax for Intergenerational Poverty Education Act, and the Intergenerational Poverty Education Funding Act.
- **SB 268- STUDENT LEADERSHIP SKILLS GRANT** (Status: Passed in Senate Committee. Waiting to be heard on Senate 2nd Reading). This bill modifies provisions related to the Student Leadership Skills Development Pilot Program and converts the pilot program to an ongoing program converts the Student Leadership Skills Development Pilot Program to an ongoing program; and requires the State Board of Education to provide information related to the Student Leadership Skills Development Program on the State Board of Education's website.

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

Sincerely,

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