

# 2015 General Session Summary from Senator Aaron Osmond March 2015

**Dear Friends and Neighbors,**

The 2015 General Legislative Session has finally come to a close.

Last week the Governor signed the final bills of the session (and vetoed a few as well). In addition to the hundreds of important but small adjustments we made to state law, we also faced very serious decisions about bills to expand Medicaid, increasing the state property tax to equalize education funding for needy districts, increasing the gas tax to fund local road maintenance, and bills to address LGBT non-discrimination while protecting the right of religious freedom. Frankly, it was a very intense session for me and for those I served with at the Capitol.

I want you to know that I appreciated every call and email I received on the various bills proposed this year. My interns and I made it a goal to read and respond to every communication from a constituent in District 10. That was hard work to do. I apologize if we missed responding to you for any reason. Your voices/opinions were a great influence on the direction I took in my votes. I appreciate and respect my constituents and honor the fact that I represent you. While we didn't always agree, I made it a point to sincerely consider all sides of the argument to ensure I made the best decision I could as your representative in the Senate.

The following is a summary of *some* of the key decisions as well as a final summary of the bills I sponsored that passed during the session. I hope you find this information useful in understanding the work I completed on behalf of District 10 during the 2015 General Session.

## **Planned Special Session in July for Medicaid Expansion Decision**

Due to the fact that we were unable to come to agreement as a Legislature on a plan to address how or if we should expand Medicaid, the Governor has decided that we will be holding a "special session" in July to make another attempt to resolve this issue. The Governor has formed a special committee that will include himself, the Speaker of the House, the President of the Senate, and a few key legislators to meet and come up with a final plan that could garner sufficient support to pass the Legislature. The hope is that they will present this plan to us prior to the special session so we can use our time wisely and vote on an actual solution rather than debate multiple options. In the end, what I need to support the final solution is evidence that we can confidently forecast our true costs while preserving the authority/autonomy of Utah in determining the best way to provide insurance coverage and health care for our most vulnerable.

## **Non Discrimination and Religious Liberty Legislation**

Next to Medicaid expansion, LGBT anti-discrimination was by far the most talked about issue during the session. I received enormous amounts of email feedback and input about these bills. In the end, I voted in favor of both SB 296 and SB 297. I determined that these two bills ensured the protection of religious liberty while protecting LGBT individuals from discrimination in both housing and employment. Here are a few news articles about the bills from both local and national news sources:

- <http://www.deseretnews.com/article/print/865623905/Utah-House-panel-endorses-anti-bias-religious-rights-bill.html>
- <http://www.reuters.com/article/2015/03/12/us-usa-utah-politics-idUSKBN0M80AL20150312>

As you can see from the article below, what we accomplished here in Utah was a significant step forward. While we still have much more work to do, in typical Utah style, all parties came to the table, work through

very significant differences, and found compromise. That is far better than most other states can say right now. Utah will continue to lead:

- <http://www.cruxnow.com/life/2015/03/10/the-growing-conflict-between-religious-groups-and-gay-rights-advocates/>

To help those who are not fully familiar with what these two bills actually do, I am posting a summary of these bills on my website at [www.aaronosmond.com](http://www.aaronosmond.com). This PDF file provides an outline of the key features of SB 296 and SB 297. I hope you will study this summary to better understand these bills.

### **Other Major Bills Debated**

**Budget Bills** - During the last few days of the session, we passed the final budget bills for all state expenditures. Here are the budget bills related to our Public Education System:

- HB 2 - <http://le.utah.gov/~2015/bills/static/HB0002.html> containing the appropriations for this year, and
- HB 8 - <http://le.utah.gov/~2015/bills/static/HB0008.html> showing allocation of funding for each of the education bills that were funded.

All other budget bills can be found on the state web site as well.

**HB 362** – This bill changes our gas tax policy. It increases the gas tax by 5 cents per gallon and it enables local municipalities to increase local sales tax for the purpose of raising sufficient funds to cover the cost of maintaining a city's local roads. While I supported this law conceptually, and I fully recognized the inability of our current gas tax to cover the increasing costs of road maintenance, in the end I voted against the final bill because of the amount of funding going to our UTA system. I am still not confident in how UTA is managed financially and it seemed to me that the increase in funding to UTA was not appropriate at this time. But the passed anyway without removing that item. <http://le.utah.gov/~2015/bills/static/HB0362.html>

**HB 79** - Currently, it is not a primary offense to fail to wear a seat belt, meaning that you could not be pulled over just for the fact that you are not wearing a seatbelt. If you were stopped for another reason then you could be cited for not wearing a seatbelt. Under this new law you can now be stopped as a primary offense for not wearing your seat belt. Under HB 79, you would receive a warning for the first few years, but by July of 2018 there will be penalties and a fine. I supported his bill because I believe that driving is a privilege, not a right. In my opinion it is appropriate for the state to reinforce laws that will protect the life and safety of its citizens on public roads. <http://le.utah.gov/~2015/bills/static/HB0079.html>

**SB 235** - titled School Turnaround and Leadership Development Act will give low performing or failing schools an opportunity to have their principal work with experts to help turn the schools around. When school grades came out last year, there were some surprising outliers, such as schools that most assumed would be failing schools, but actually had higher grades than anyone thought they would have had. As we looked carefully at these schools it was apparent that leadership skills were the key. This bill will help schools that are not performing to receive the help they need to help the children at those schools to have a chance to succeed. <http://le.utah.gov/~2015/bills/static/SB0235.html>

**SB 259** - This is the bill that would have legalized the use of marijuana in the form of cannabis oil converted for various forms of consumption (except for smoking). It would have provided it as a prescription for those with significant medical need. The bill failed to pass by a single vote in the Senate. The final debate was concerning to me. It created more questions than it answered. It was clear that there was still a lot of work to be done and I voiced my concerns about it. However, my desire was to see this concept move forward and I voted in-favor of the bill. Prior to the vote, I had sent out an email to all my delegates on this topic seeking their feedback. I

received an overwhelming response in support of the concept but many had concerns about the bill itself. In retrospect I am glad that we now have more time to research and debate this issue so that we can carefully address this topic for future success. Here is a link to the final debate on the Senate floor. This is a very important topic. I encourage all my constituents to listen to this recording and become more familiar with this issue:

[http://utahlegislature.granicus.com/MediaPlayer.php?clip\\_id=18843&meta\\_id=550613](http://utahlegislature.granicus.com/MediaPlayer.php?clip_id=18843&meta_id=550613)

**HB 245** – This was a bill about incorporation and township amendments. Right now, if a city or town incorporates, it is the county's responsibility to facilitate the process and pay the legal expenses incurred by the work. HB 245 changes that model so the fees and responsibilities would be taken care of by the town or city itself, and other technical changes. I voted <http://le.utah.gov/~2015/bills/static/HB0245.html>

**SB294** – requires drivers who drive for Uber or Lyft (a crowd-sourcing taxi-like service) to undergo background checks; carry a \$1 million insurance policy; and requires all drivers to register with the Division of Consumer Affairs. It also would require passengers to use a standardized app to pay the driver and the company's app would also show the passenger how much it would cost to reach their destination. I voted in favor of this bill. <http://le.utah.gov/~2015/bills/static/SB0294.html>

**HB 48** - is a bill that makes a preemptive strike to protect children in the state. The bill prohibits the sale of powdered alcohol. Powdered alcohol comes in small packets and can be added to any liquid or sprinkled on food. One packet contains nearly twice as much alcohol as an average beer. This is now illegal in our state. I voted in favor of this bill. <http://le.utah.gov/~2015/bills/static/HB0048.html>

**HB 226** - would allow the DAQ (Utah's Department of Air Quality) to make regulations that are different than the current air quality limitations and requirements put into place by the EPA. I supported this bill because I believe that Utah, as a sovereign state, should be able to require more stringent air quality rules if we feel that such rules are in the best interest of Utahns. I voted in favor of this bill.

<http://le.utah.gov/~2015/bills/static/HB0226.html>

**HB 277 and HB 345** – These bills were very important to me. I co-sponsored these bills in the Senate. HB 277 removes the statute of limitations for civil action against individuals who have abused children moving forward. HB 345 ensures that teachers who sexually abuse children will never work again as a teacher in Utah. I am very proud of the work that Rep. Ivory and McKay have done on these topics.

<http://le.utah.gov/~2015/bills/static/HB0277.html> and <http://le.utah.gov/~2015/bills/static/HB0345.html>

### Status of My Bills

Here is a summary of all the bills that I personally sponsored and that I was able to pass during the session. Hopefully, none of these bills are surprise to any of my delegates or constituents. All but SB 223 (which was a committee bill I agreed to sponsor as the Committee Chair) were bills we discussed throughout the year together in my open in-person planning meetings:

- **SB 38 – BEHAVIORAL TESTING AND TRACKING RESTRICTIONS.** (Status: Passed. Signed by the Governor). This bill eliminates references to behavioral testing or tracking in public schools when not related to Special Education; and makes technical changes.
- **SB 54- CREDIT MONITORING FOR MINORS.** (Status: Passed. Signed by the Governor). This bill modifies and enacts provisions of the Consumer Credit Protection Act relating to certain minors, incapacitated adults, and protected persons. The bill 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 was sponsored by the students of Carol Shackelford at Bingham High School.

- **SB 97- PROPERTY TAX EQUALIZATION AMENDMENTS.** (Status: Passed. Signed by the Governor.) This bill makes changes related to school property tax funding to ensure each school district is funded equitably for local property taxes. The bill increases the State Property Tax rate to annually generate \$75 million for the purposes of funding property tax equalization for the most-needy school districts (like Jordan). This bill will bring over \$7 million in net-new dollars to the Jordan School district each year, while reducing the long-term potential tax burden on the residents of our district.
- **SB 114- BOARD OF EDUCATION COMPENSATION AMENDMENTS.** (Status: Passed. Signed by the Governor). 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 each year.
- **SB 116- PUBLIC SCHOOL DROPOUT RECOVERY.** (Passed. Note: The Governor did NOT sign this bill but let it go into law without his signature. He felt that this bill was taking away too much local control, but he agreed with the general principles of working to reduce drop out rates.) This bill requires public schools to actively provide dropout recovery services and to outsource such services to a 3<sup>rd</sup> party service provider if the school does not meet certain improvement metrics each year.
- **SB 117- INTERVENTIONS FOR READING DIFFICULTIES PILOT** (Status: Passed. Signed by the Governor). This bill creates a pilot program to provide teacher training and specific interventions for students at risk for, or experiencing, reading difficulties, including dyslexia. The bill focuses on intervention for students in kindergarten through grade 5. It provides up to \$30k per school that receives the grant to fund these efforts.
- **SB 167- JUVENILE OFFENDER AMENDMENTS** (Status: Passed. Signed by the Governor). The bill dramatically reduces the number of minors that can be prosecuted as adults. Now only those youth with prior criminal history and are involved in violent crime have high likely-hood to be prosecuted as an adult. Those youth convicted of adult crimes will now be housed in Juvenile Justice Facilities until they are 18. Finally, youth will not be shackled in court unless the Court orders it for safety reasons.
- **SB 204- PARENTAL RIGHTS IN PUBLIC EDUCATION** (Status: Passed. Signed by the Governor). 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. It amends provisions related to a parent's or guardian's right to excuse a student absence for a Family Vacation and a Proactive Medical Visit; It also 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. Signed by the Governor). 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 268- STUDENT LEADERSHIP SKILLS GRANT** (Status: Passed. Signed by the Governor). This bill modifies provisions related to the Student Leadership Skills Development Pilot Program and converts the 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.

Along with these I was able to work with other legislature to help pass approximately 10 House bills in the Senate. With my own bills and the bills that I co-sponsored, I can say that this session was by far the busiest session that I have personally experienced at this point in my legislative service. I won't do that to myself again. I commit to be far more limited in the issues I agree to take on in a single session (especially if I want to remain employed at my job and stay married!). ☺

Well, that's it for this month. Once again I appreciate this opportunity to serve you!

Sincerely,

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