

Utah State Legislature Highlights for February 1st – 5th

During week two of the 2010 Legislative Session, the Utah House of Representatives approved several bills that make-up an ethics reform package. One of the bills that passed the house would place a proposed constitutional amendment on the November ballot creating an independent commission to review complaints against lawmakers. House Speaker Dave Clark said, while urging other legislators to vote for the commission, “When I was elected speaker, I pledged that we would try to do things differently here in the Legislature ... These bills are a major step in that journey.”

Also this week, leaders in the House began their own limited health care reform plan, which includes a resolution (HB67) that would keep Utah out of a nationalized health care plan. Look for HB67 to be debated on the House Floor later in the session.

Also notable is that Utah finished first overall (that’s good—it’s the lowest in the country!!) in Forbes’s debt weight scorecard. That means the total debt each Utahn owes to pay for bonds used in state road or building construction is \$447 per capita. Utah has also held a AAA bond rating since 1964 and is only one of only nine states to currently hold that credit rating.

These are all bills that passed the House this week.

- H.B. 86 – Department of Human Services – Review Oversight – Feb. 1st 2010 – 74/0 votes – Sponsored by Rep. Rebecca D. Lockhart (R-Provo)

This bill amends provisions of the Open and Public Meetings Act, the Utah Human Services Code, and the Government Records Access and Management Act to provide review and oversight relating to fatalities and other matters that occur in relation to a person in the custody of, or who has received services from, the Department of Human Services.

- H.B. 43 – Unemployment Compensation Amendments – Feb. 1st 2010 – 60/15 votes – Sponsored by Rep. Steven R. Mascaro (R-West Jordan)

This bill modifies provisions in the Employment Security Act regarding computation of individual weekly benefits, including those pertaining to the offset of Social Security benefits against weekly benefit for the unemployed.

- 1S.H.B. 216 – Incorporation of a Town Amendments – Feb. 1st 2010 – 70/0 votes – Sponsored by Rep. Gage Froerer (R-Huntsville)

Relating to the incorporation of a town, this bill requires that a county legislative body commission a financial feasibility after a petition to incorporate is certified, as well as have other related functions.

- H.B. 206 – Ban on Sale of Smoking Paraphernalia to Minors – Feb. 1st 2010 – 72/0 votes – Sponsored by Rep. Paul Ray (R-Clearfield)

This bill defines smoking paraphernalia and bans the sale of this to those individuals under the age of 19.

- H.B. 16 – Parent-time Amendments – Feb. 1st 2010 – 58/6 votes – Sponsored by Rep. Lorie D. Fowlke (R-Orem)

This bill clarifies provisions that relate to parent-time when the parents live either in different states or more than 150 miles apart from each other.

- H.B. 21 – Expungement Revisions – Feb. 1st 2010 – 74/0 votes – Sponsored by Rep. Julie Fisher (R-Fruit Heights)

Along with creating a specific definition of expunge, this bill more clearly outlines steps that must be taken to acquire an expungement, specifies what cannot be expunged, and helps to make it easier to understand the processes behind expungement.

- H.B. 95 – Certification of Voting Equipment Modifications – Feb. 2nd 2010 – 68/0 votes – Sponsored by Rep. Douglas C. Aagard (R-Kaysville)

This bill requires voting equipment to be certified by the United States Election Assistance Commission.

- H.B. 47 – Board of Pardons and Parole Technical Amendments – Feb. 2nd 2010 – 72/0 votes – Sponsored by Rep. Eric K. Hutchings (R-Kearns)

Concerning the Utah Board of Pardons and Parole, this bill eases the process of pardons and parole hearings by allowing the use of videoconference or other electronic communications, and reduces the maximum authorized pro tempore members of the board, as well as other similar actions.

- H.B. 74 – Adoption and Child Custody Amendments – Feb. 2nd 2010 – 54/18 votes – Sponsored by Rep. Sheryl L. Allen (R-Bountiful)

This bill amends adoption and child custody provisions relating to divorce, persons other than the parent, the Utah Human Services Code, the Utah Adoption Act, and the Utah Uniform Parentage Act, all pertaining to guardianship.

- H.B. 19 – Post Conviction Remedies Amendments – Feb. 2nd 2010 – 68/0 votes – Sponsored by Rep. Kay L. Mccliff (R-Richfield)

This bill modifies the Judicial Code to clarify a statutory limitation on claims for relief under the Post-Conviction Remedies Act,

- H.R. 1 – Healthy Family Partnership House Resolution – Feb. 2nd 2010 – 73/0 votes – Sponsored by Rep. Curtis Oda (R-Clearfield)

This resolution urges that “age appropriate materials” on family violence be made available in Utah’s public schools, as well as urging the continuation of community partnerships to help in preventing family and dating violence.

- H.B. 22 – Inmate Health Insurance Amendments – Feb. 2nd 2010 – 30/44 votes FAILS – Sponsored by Rep. Paul Ray (R-Clearfield)

In modifying the Insurance Code, this bill requires insurance companies providing health or dental policies to coordinate benefits for an insured individual housed in a correctional facility.

- H.B. 20 – Amendments to Health Insurance Coverage in State Contracts – Feb. 3rd 2010 – 68/0 votes – Sponsored by Rep. James A. Dunnigan (R-Taylorsville)

This bill amends provisions related to the requirement that contractors with certain state entities must provide qualified health insurance to their employees and the dependents of the employees who work or reside in the state.

- H.B. 89 – License for Controlled Substances Amendments – Feb. 3rd 2010 – 70/0 votes – Sponsored by Rep. Michael T. Morley (R-Spanish Fork)

Designates the Division of Occupational and Professional Licensing to issue a controlled substance precursor license, which combines the current controlled substance precursor purchaser’s and the distributor’s licenses.

- 1S.H.B. 1 – Minimum School Program Base Budget – Feb. 3rd 2010 – 55/18 votes – Sponsored by Rep. Merlynn T. Newbold (R-South Jordan)

This bill, in providing base funding for the Minimum School Program, appropriates state and local funds and other monies, establishes values, and does other actions in assisting the provisions made.

- S.B. 1 – State Agency and Higher Education Base Budget – Feb. 3rd 2010 – 64/5 votes – Sponsored by Lyle W. Hillyard (R-Logan)

This bill appropriates funds for the support and operation of state government for the year beginning July 1, 2010, and ending June 30, 2011.

- S.B. 25 – State Highway System Modifications – Feb. 3rd 2010 – 68/0 votes – Sponsored by Kevin T. Van Tassell (R-Vernal)

This bill modifies the Designation of State Highways Act by amending the description of two state highways and adding a highway to the state highway system.

- H.B. 211 – Improvement District Board Membership – Feb. 3rd 2010 – 70/0 votes – Sponsored by Kraig Powell (R-Heber City)

This bill amends the board of trustee’s membership requirements for an improvement district, as well as makes technical corrections.

- H.B. 37 – Criminal Background Checks on Motor Vehicle Dealers and Salespersons – Feb. 3rd 2010 – 54/17 – Sponsored by Rebecca D. Lockhart (R-Provo)

This bill modifies the Motor Vehicle Business Regulation Act and the Public Safety Code by amending provisions relating to criminal background checks on motor vehicle dealers and salespersons.

- 1S.H.B. 219 – Delinquent Property Tax Amendments – Feb. 3rd 2010 – 65/3 votes – Sponsored by Rep. Gage Froerer (R-Huntsville)

This bill, amending provisions in the Property Tax Act, does such things as increase the penalty imposed on delinquent taxes from 2% to 2.5%, as well as provides a penalty.

- H.J.R. 10 – Joint Resolution Opposing the Establishment of a Federal Commission of State Workers’ Compensation Laws – Feb. 3rd 2010 – 72/0 votes – Sponsored by Michael T. Morley (R-Spanish Fork)

This resolution supports the state-based workers’ compensation system and opposes federal efforts that would undermine the system.

- H.B. 248 – Government Records Amendments – Feb. 4th 2010 – 66/0 votes – Sponsored by Rep. Johnny Anderson (R-Salt Lake City)

This bill renames the Archives and Records Service chapter to the Public Records Management Act, as well as adopts definitions from Governmental Records Access and Management Act.

- H.J.R. 14 – Joint Rules Resolution on Financial Disclosure – Feb. 4th 2010 – 71/0 votes – Sponsored by Rep. Gregory H. Hughes (R-Draper)

This bill modifies provisions of the Legislative Joint Rules relating to the declaration and disclosure of conflicts of interest and filing financial disclosures.

- H.B. 270 – Financial Disclosure and Conflict of Interest Amendments – Feb. 4th 2010 – 70/0 votes – Sponsored by Rep. Gregory H. Hughes (R-Draper)

This bill modifies and enacts provisions of the Utah Code that relate to financial disclosures and the declaration of conflicts of interest by certain public officeholders and candidates.

- H.B. 267 – Lobbyist Disclosure and Regulation Act Amendments – Feb. 4th 2010 – 69/1 votes – Sponsored by Rep. Kevin S. Garn (R-Layton)

This bill amends the Lobbyist Disclosure and Regulation Act as pertaining to an expenditure by a lobbyist, principal, or government officer for the benefit of a public official.

- H.J.R. 15 – Joint Resolution on Legislative Ethics Commission – Feb. 4th 2010 – 69/3 votes – Sponsored by Rep. David Clark (R-SantaClara)

This joint resolution of Legislature proposes to amend the Utah Constitution to establish a legislative ethics commission, thereby outlining terms of commission members, appointment, powers, operations, requirements and procedures.

- 2H.B. 70 – Retrofit Compressed Natural Gas Vehicles – Feb. 5th 2010 – 67/1 votes – Sponsored by Rep. Jack R. Draxler (R-Logan)

This bill is designed to address the retrofitting of vehicles to operate on compressed natural gas.

- H.R. 3 – House Rules Resolution – Recodification and Revisions – Feb. 5th 2010 – 75/0 votes – Sponsored by Rep. Ben C. Ferry (R-Corinne)

This resolution recodifies and revises House Rules by reorganizing, renumbering, and making correction and additions to them.

- H.B. 200 – Informed Consent Amendments – Feb. 5th 2010 – 52/15 votes – Sponsored by Rep. Carl Wimmer (R-Herriman)

This bill amends provisions of the Utah Criminal Code relating to providing informed consent to a woman who is seeking an abortion.

- H.B. 225 – Counterfeit Substance Amendments – Feb. 5th 2010 – 66/0 votes – Sponsored by Rep. Paul Ray (R-Clearfield)

The bill modifies definitions regarding imitation and counterfeit controlled substances.

- 1S.H.B. 78 – Weapons Revisions – Feb. 5th 2010 – 63/3 votes – Sponsored by Rep. Stephen E. Sandstrom (R-Orem)

This bill allows a person to announce they have a weapon to a threat before firing a weapon.

- H.B. 98 – State Engineer Bonding Requirements – Feb. 5th 2010 – 66/0 votes – Sponsored by Rep. Ryan D. Wilcox (R-Ogden)

This bill eliminates a provision requiring the state engineer to post a bond before taking office.

- H.B. 201 – State Fire Marshal Modifications – Feb. 5th 2010 – 41/28 votes – Sponsored by Rep. Ronda Rudd Menlove (R-Garland)

In modifying the Utah Fire Prevention and Safety Act, this bill regulates the manufacture, storage, sale and distribution of novelty lighters, being those lighters that resemble the shape of a toy or object other than a lighter.