

## 2013 Session Summary

The Legislature is mostly about money. We have been careful through the recession, many have been asked to sacrifice and have done so with an understanding of our situation. We have managed to maintain our bond rating, our reputation for fiscal restraint, and our recognition for a business friendly environment.

We passed no tax increases.

We had additional revenues projected of just over \$400 Million. ( the projections reflected our best estimates of the effects of the Federal budget impasses)

### **Public Education:**

Funding: Public Ed will get an increase of approx. 2% in new funding, which is the most we have been able to put into public ed. in the last 5 years.

Fewer education bills reached the Governor's desk. Most originated in the Senate, but either compromises were worked on before passage or they died in the House.

**Higher Education:** After years of taking the biggest hits in all of state government, modest amounts of new funding were allocated to Higher Ed. You may have noticed the newspaper article noting the USU did not expect any tier 2 tuition increases for the first time in years.

### **Medicaid Expansion:**

This is a hot topic because the Affordable Care Act (Obama Care) is so unpopular in Utah. The Governor is charged with deciding whether to opt into the expanded Medicaid program. The expansion is usually characterized as increasing those qualified for Medicaid to a level equal to 138% of poverty. There are numerous moving parts involved and the effects on the state budget need to be carefully considered. The House passed legislation to pre-empt the Governor's authority on the issue, and prohibit the expansion. The Senate amended the bill and restored the Governor's discretion, giving him time to review the cost study already underway.

### **Air Quality:**

Rep. Draxler and Senator Adams worked for expansion of Natural Gas powered vehicles and an expanded infrastructure for service and fueling. The bill passed. Rep. Redd and Senator Hillyard shepherded HB210 through the system, which allowed Cache County to adjust its emissions testing timeline to accommodate our unique air shed problems. There is mounting frustration from all quarters on this issue. The state's air quality problems are serious. The public wants it fixed and is anxious to see efforts being made. State and local governments are anxious to demonstrate the sincerity of their resolve. Sadly, there is no magic pill, even if we spent our entire \$13 Billion dollar budget on it. Until we have the answer, we can and should make cost effective efforts to do what we can.

**Gun Rights:**

2 Bills took center stage on gun rights. Rep. Mathis carried HB76 which is often referred to as the “constitutional carry” bill, and Rep. Greene carried HB114; originally aimed at defying any federal mandates on gun control. Rep. Greene’s bill underwent considerable change in the House Judiciary Committee and was even further amended to eliminate its constitutional conflicts, as defined by the legislative legal staff. It passed the House as amended, but the Senate kept it in Rules where it died. HB76 on the other hand passed both the House and Senate and has been sent to the Governor. He is getting a lot of pressure to veto the bill.

An explanation of the issue is in order here:

Utah is already an open carry state. Our popular “concealed carry” permit does not allow citizens to carry guns; we already have that right. The permit allows citizens to conceal guns that we already have the right to carry. Rep. Mathis said that the impetus for the bill came when a constituent of his in the Uinta basin was warned by a police officer for carrying a rifle from his truck to his office under his coat to keep it from the rain. He was in violation of the law not for carrying it, but for concealing it. The bill allows for concealed carry without a permit if the gun is not loaded.

**Water Rights:**

A water rights task force met all last summer, making recommendations for legislation to improve water law in the state. I carried one of those bills. HB326 dealt with ownership of water rights, and has the potential to change the entire culture of water rights transfer in the state. The bill passed with no opposition.

SB109 however, was carried by Senator Okerland. It had a number of moving parts dealing with appropriation, change applications, powers of the State Engineer, and cities rights to bank water. The bill underwent continuous negotiation and did not pass until the final day.

**Bear Lake:**

The Department of Natural Resources HB333 was carried by Rep. Menlove. The bill deals with access to Bear Lake in an effort to better control the Quagga Muscle threat. It allows that lake front property owners may continue to launch their own boats with tractors or other vehicles as they have in the past. They will however be required to obtain a permit to do so. Part of obtaining the permit is instruction on the Quagga threat and the limitation to only watercraft belonging to the property owner.

The bill also restricts beach parking and travel.

**Cell Phones and Teenage Drivers:**

Rep. Perry and Sen. Hillyard successfully ran a bill HB103, that prohibits drivers 18 years of age or younger from using cell phones while driving. The bill does not allow for hands free devices. It is primary offense \$25 fine, and is not accrue points against the driver. The bill provides for exceptions for emergency situations and parent contact.

**Smoking in cars with children:**

HB13 (Arent) passed and will likely be signed by the Governor. It makes smoking in enclosed vehicles with children 15 or younger a secondary offense, with a \$45 fine. Warnings only may be issued by law enforcement until July 1, 2014. Convertibles with the top down are exempt.