

**MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE**
210 Senate Building, Utah State Capitol Complex
March 7, 2014

Members Present: Sen. Stuart C. Reid, Chair
Sen. Patricia W. Jones
Sen. Mark B. Madsen
Sen. Aaron Osmond
Sen. Howard A. Stephenson
Sen. Stephen H. Urquhart

Members Excused: President Wayne L. Niederhauser

Members Absent: Sen. Jerry W. Stevenson

Staff Present: Ms. Tiffany Stanley, Policy Analyst
Ms. Wendy Hill, Committee Secretary

NOTE: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Reid called the meeting to order at 4:31 p.m.

MOTION: Sen. Osmond moved to approve the minutes of the March 6, meeting. The motion passed unanimously.

H.B. 239 Front-line Teachers Data Program (*Rep. J. Nielson*)

Rep. Nielson explained the bill to the committee.

Spoke against the bill: Peter Cannon, citizen
Carolyn White, President, Utah School Board Association

MOTION: Sen. Stephenson moved to pass the bill out favorably. The motion passed unanimously.

H.B. 223 School Board Elections Provisions (*Rep. J. Nielson*)

Rep. Nielson explained the bill to the committee.

Spoke to the bill: Peter Cannon, citizen

Spoke for the bill: Cliff Haynes, Legislative Vice President, Utah Parent Teacher Association
Carolyn White, President, Utah School Board Association

Spoke against the bill: Todd R. Bingham, President, Utah Manufacturer's Association

MOTION: Sen. Osmond moved to pass the bill out favorably. The motion failed with Sen. Madsen, Sen. Stephenson and Sen. Urquhart voting in opposition.

H.B. 153 Study on Contribution and Credit for Education Funding (*Rep. K. Christofferson*)

Chair Reid relinquished the chair to Sen. Osmond.

Rep. Christofferson explained the bill to the committee.

Spoke for the bill: Dean G. Duncan, Certified Public Accountant

MOTION: Sen. Jones moved to pass the bill out favorably. The motion passed unanimously with Sen. Reid absent for the vote.

H.B. 147 Peace Officer Agreements with Federal Agencies (*Rep. R. Greenwood*)

Rep. Greenwood explained the bill to the committee.

MOTION: Sen. Jones moved to pass the bill out favorably. The motion passed unanimously with Sen. Reid absent for the vote.

H.B. 241 School Records Amendments (*Rep. G. Froerer*)

Rep. Froerer explained the bill to the committee. "HB 241, Dual System of Reporting on a Single Example from Weber School District Student Record – Encrypted Secure FERPA Protected" was distributed to the committee.

Spoke to the bill: Peter Cannon, citizen

Spoke for the bill: Art Hansen, Director of Student Services, Weber School District

MOTION: Sen. Urquhart moved to pass the bill out favorably. The motion passed with Sen. Madsen voting in opposition and Sen. Reid absent for the vote.

1st Sub. H.B. 118 Personal Injury Damages Amendments (*Rep. K. McIff*)

Rep. McIff explained the bill to the committee.

Spoke for the bill: Steven Sullivan, attorney
Mike Sonntag, Independent Insurance Agents, American Insurance Association

MOTION: Sen. Urquhart moved to amend the bill as follows:

1. *Page 1, Lines 12 through 17:*

12 ~~{▶ provides for a limit of \$100,000 in general damages collected in~~
 ~~personal injury~~
13 ~~eases related to a wrongful act or negligence; }~~
14 ▶ requires notice be mailed to or served upon a person or party believed to be at
 fault
15 for personal injury {; and} ~~u~~
16 ~~{▶ exempts an uninsured motorist from general damage awards over \$100,000~~
 ~~under~~
17 ~~certain circumstances. }~~

2. *Page 2, Lines 40 through 41:*

40 occurred prior to death of the injured party from the unrelated cause. ~~{General~~
 ~~damages may not~~
41 ~~exceed \$100,000. }~~

3. *Page 2, Lines 55 through 56:*

55 ~~(c) In no event shall the general damage award exceed \$100,000 regardless~~
56 ~~liability, uninsured or underinsured motor vehicle coverage.~~

The motion passed with Sen. Jones voting in opposition.

Acting Chair Osmond relinquished the chair to Sen. Reid.

MOTION: Sen. Osmond moved to pass the bill out favorably. The motion passed unanimously.

H.B. 236 State School Board Nominations Revisions (Rep. K. Powell)

Rep. Powell explained the bill to the committee.

Spoke to the bill: Peter Cannon, citizen

MOTION: Sen. Jones moved to pass the bill out favorably.

SUBSTITUTE MOTION: Sen. Osmond moved to amend the bill as follows:

1. *Page 2, Line 37 through Page 3, Line 60:*

37 ~~{(5) (a) "Lobbyist" means an individual who contracts for economic~~
 ~~consideration, other~~
38 ~~than reimbursement for reasonable travel expenses, with a principal to lobby a~~
 ~~public official.~~
39 ~~—(b) "Lobbyist" does not include:~~
40 ~~—(i) a government officer;~~
41 ~~—(ii) a member or employee of the legislative branch of state government;~~
42 ~~—(iii) a person while appearing at or providing written comments to a hearing~~
 ~~conducted~~
43 ~~in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, or~~
 ~~Title 63G,~~
44 ~~Chapter 4, Administrative Procedures Act;~~
45 ~~—(iv) a person participating on or appearing before an advisory or study task~~
 ~~force,~~
46 ~~commission, board, or committee constituted by the Legislature or any agency or~~
 ~~department of~~
47 ~~state government, except legislative standing, appropriation, or interim committees;~~
48 ~~—(v) a representative of a political party;~~
49 ~~—(vi) an individual representing a bona fide church solely for the purpose of~~
 ~~protecting~~
50 ~~the right to practice the religious doctrines of the church, unless the individual or~~
 ~~church makes~~
51 ~~an expenditure that confers a benefit on a public official;~~
52 ~~—(vii) a newspaper, television station or network, radio station or network,~~
 ~~periodical of~~
53 ~~general circulation, or book publisher for the purpose of publishing news items,~~
 ~~editorials,~~
54 ~~other comments, or paid advertisements that directly or indirectly urge legislative or~~
 ~~executive~~

- 55 ~~action; or~~
56 ~~—(viii) an individual who appears on the individual's own behalf before a~~
57 ~~committee of~~
58 ~~the Legislature or an agency of the executive branch of state government solely for~~
59 ~~the purpose~~
60 ~~of testifying in support of or in opposition to legislative or executive action.~~
59 ~~—(6) "Principal" is as defined in Section 36-11-102.~~
60 [(5)] ~~{(7)-}~~ (5) "Shapefile" means the digital vector storage format for storing
geometric

2. Page 4, Lines 97 through 98

a. House Committee Amendments

b. 2-25-2014:

- 97 {~~(e) The nominating and recruiting committee may not include a member who is~~
~~a~~
98 lobbyist as defined in Section 20A-14-101.1.}

The motion passed unanimously.

MOTION: Sen. Osmond moved to pass the bill out favorably. The motion failed with Sen. Reid, Sen. Madsen, Sen. Stephenson and Sen. Urquhart voting in opposition.

MOTION: Sen. Osmond moved to adjourn. The motion passed unanimously.

Chair Reid adjourned the meeting at 6:13 p.m.

Sen. Stuart C. Reid, Chair