



GENERAL SESSION

January 19, 2011

Program Topic: Looking Ahead – The 2011 Session

Presented by: WSLC General Board

Speakers: **Rep. David Litvack (D)** – Minority Leader, Dist. 26; Salt Lake County (central SLC, part of W.V. City)

Sen. Karen Morgan (D) – Minority Whip, Dist. 8; Salt Lake County (Cottonwood Heights)

Scheduled, but unable to attend – Rep. Rebecca Lockhart (R)
– House Speaker Dist. 64, Utah County (south-central)

Rep. Litvack (D) said one of the biggest issues this session is, not surprisingly, the budget. Appropriations subcommittee meetings began last week. Legislators must have a budget bill on their desks on the first day of the session, and must take action on it within ten days.

Education is already becoming a heated issue. The budget is always a factor but this year legislators will be grappling with adjacent topics, such as the school board election process. Look for the governor's Education Commission to generate some initiatives from their findings.

Illegal immigration continues to generate debate. Sen. Luz Robles (D) is working on legislation to address illegal immigration in Utah, as is Rep. Stephen Sandstrom (R). Rep. Carl Wimmer (R) is proposing the elimination of the in-state tuition benefit to

undocumented students. Rep. Litvack estimates there may be as many as 20 pieces of legislation brought forward on this issue during the session.

Utah will remain in the forefront of the national state's rights debate. Rep. Litvack believes it is a legitimate issue and must be addressed with care. "Throughout our history," he said, "the pendulum of public opinion on state's rights has swung both ways. The best kind of legislation tries to pull the pendulum back to the middle." Currently, passions are running quite high, with some states even advocating taking over the national parks located within them.

Healthcare insurance will be on the table again this year. Utah legislators are considering options on how the federal mandate will be implemented. For example,

will it enhance or conflict with our state health exchange?

Responding to questions, Rep. Litvack said he's not sure whether the food tax will come up again this session. He hopes cool heads will prevail on the issues of gun control and concealed weapons. Sen. Bramble (R) may be able to bring about a compromise bill on illegal immigration.

Sen. Morgan (D) said the Appropriations Committee is already considering a 7% cut to the education budget. She encouraged the audience to consider becoming even more actively involved in lobbying their own legislators to maintain the current financial base.

"How," she asked, "can we improve our schools or even keep them competitive with other states by spending less?" Utah schools anticipate 14,000 new students entering the system this year. "How," she asked, "can we cover these new students without at least maintaining last year's spending base?"

Responding to questions, Sen. Morgan said she believes most people are pleased with the idea of a 5% flat tax, but it does raise less money for schools. Addressing the controversy over the "socialist" wording in the Alpine School District's mission statement, she said she believes the charge to be unfounded.

The Utah budget this year has a "structural deficit" in that the session will begin by being hampered by last year's shortfall. Asked how this could be if the legislature is required to balance the budget by the end of each year, Sen. Morgan said the difference is made up by some as yet unspent funds, including the rainy day fund.

The senator believes we may be beginning to emerge from the recession, and stressed that our state budget can maintain core services with careful planning. With new businesses moving into Utah, more corporate income taxes will be available. Over \$100M in federal stimulus money came to Utah. Not all of it has been spent.

Reported by Pam Grange

General Session 11

Program Topic: Nuts & Bolts – A Primer for Utah Legislators and Citizens

Presented by: WSLC General Board

Speakers: Mike Christensen – Dir., Office of Legislative Research and General Counsel

Keven Stratton – Sutherland Institute

Mike Christensen gave a synopsis of the orientation presentation he gives to new legislators. He began by reviewing how an idea becomes actual legislation. Any business, group or individual citizen can bring an idea for a bill to a legislator. The legislator subsequently makes a bill request to the Office of Legislative Research, which then begins to draft it.

After drafting, the bill is numbered and sent to the House of Representatives, the Bill Room and the Office of Fiscal Analysis. It is then posted on the Internet for public review.

The Utah State Constitution requires a prospective bill to be “read” three times. (For this presentation, Mr. Christensen followed a bill as it would originate in the House of Representatives, although it could originate in the Senate, as well.)

First reading: The bill is read to the house by the house clerk, after which it is referred to the Rules Committee for review, sent back to the house and assigned to a standing committee.

The standing committee holds a public meeting wherein they may (1) amend the bill (2) hold it, (3) table (i.e. kill), it (4) substitute it (i.e. make great enough changes that it is, in essence, a different bill), or (5) recommend it. The committee then passes the bill back to the house.

Second reading (committee action): The standing committee has the bill read again in the house, adopted by motion and placed on the calendar.

Third reading: The bill is read to the house by title and explained by the sponsoring representative. At this point, the house may debate the bill and propose amendments.

A bill needs 38 votes in the house to be passed on to the senate. The senate may send it back to the house with amendments, after which negotiations ensue, often requiring a Conference Committee. This committee is made up of senators and representatives of both parties and is open to the public.

When an accord is finally reached, the bill is sent to the Office of Legislative Research and General Counsel. The Office “enrolls” the bill, ensures that it is drafted in the correct format and sends it to the house or senate, depending on where the bill originated. The house or senate sends it to the governor, who must take action within 20 days after adjournment.

The legislature has the power to override the governor’s veto with a two-thirds vote of both houses. The action on vetoed legislation is a simple yes or no vote. No further amendments may be considered.

Responding to questions, Mr. Christensen said the Financial Office must place a fiscal note on all bills. The Office of Legislative Research provides analysis and research. It makes no recommendations insofar as policy; only what the impact of a bill might be.

Mr. Christensen does not deal with the unintended consequences resulting from legislation. Legislators and, to some extent, the public have that responsibility during the debate and negotiation phase of a bill’s progress through the system. The legislature may also correct by amendment in subsequent sessions. For more information, go to <http://le.utah.gov>.

Keven Stratton informed us that the Utah Election Code dictates that each respective party establishes its own system for choosing candidates. Consequently, the process by which each party chooses

candidates is mandated by its constitution and by-laws.

Ideally, the electoral process begins with each citizen going to his/her precinct caucus. Caucuses are held every other March. County and state delegates are selected at these neighborhood caucus meetings. The number of votes cast in the prior national election determines the number of delegates any given precinct is allotted.

In Utah, depending on the party convention, it is possible for a candidate to bypass the primary election altogether.

The Responsible Citizen Exchange offers courses on Utah's political landscape and how to make your voice heard. Contact Keven Stratton at 801-355-1272 or RCE@sutherlandinstitute.org for more information.

Reported by Pam Grange

NOTE: We regret to announce the recent passing of WSLC past president **Evelyn Vernon (1951-53)**.

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