

**MINUTES OF THE
HOUSE RETIREMENT AND INDEPENDENT ENTITIES STANDING COMMITTEE
Room W025, State Capitol Complex**

February 1, 2008

Members Present: Rep. John Dougall, Chair
Rep. Aaron Tilton, Vice Chair
Rep. Neil A. Hansen
Rep. Wayne A. Harper
Rep. Bradley G. Last
Rep. Karen W. Morgan
Rep. LaWanna Shurtliff

Members Absent: Rep. David Clark
Rep. Merlynn T. Newbold

Staff Present: Mr. Benjamin N. Christensen, Policy Analyst
Mr. Eric Weeks, Associate General Counsel
Ms. Barbara Bryner, Committee Secretary

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

Rep. John Dougall called the meeting to order at 12:15 p.m.

S.B. 24 Retirement Death Benefits and Divorce Revisions (*Sen. L. Hillyard*)

Sen. Hillyard explained the bill to the committee.

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

S.B. 131 Wage Withholding for Employee Contributions (*Sen. W. Niederhauser*)

Sen. Niederhauser explained the bill to the committee.

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

H.B. 96 Retired Teachers - Return to Work (Rep. D. Bowman)

Rep. Bowman explained the bill to the committee with the assistance of Mr. Dan Anderson, Utah Retirement System.

MOTION: Rep. Hansen moved to amend the bill as follows:

1. *Page 1, Lines 13 through 15:*

- 13 ▶ amends the six month post retirement wait period, for reemployment with the
 same
14 agency, to ~~{60}~~ 7 days for licensed educators who are at least 62 years of age
 and that retire and are reemployed from the
15 same school district;

2. *Page 2, Lines 44 through 47:*

- 44 (v) a retiree of an agency that is a school district and the retiree is:
45 (A) **at least 62 years of age;**
 (B) **eligible for and unreduced allowance;**
 (C) reemployed by the same agency after ~~{60}~~ 7 days from the retirement
 date; and
46 ~~{B}~~ **(D)** a licensed educator under Title 53A, Chapter 6, Educator
 Licensing and
47 Professional Practices Act.

The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

Speaking for the bill were:

Mr. Steve Peterson, Utah Superintendent Association
Mr. Courtney White, Utah Education Association
Mr. Steve Norton, Cash County School Superintendent

No other action was taken on this bill.

Rep. Dougall relinquished the chair to Rep. Last.

H.B. 250 Public Employee Benefit Approval Provisions (Rep. J. Dougall)

Rep. Dougall explained the bill to the committee.

Mr. Jeff Jensen, Public Employee Health Program spoke for the bill.

MOTION: Rep. Shurtliff moved to pass the bill out favorably. The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

MOTION: Rep. Shurtliff moved to place H.B. 250 on the consent calendar. The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

S.B. 19 Enhanced Public Safety Retirement Systems Cola Option (Sen. C. Walker)

Rep. Dougall explained the bill to the committee for Sen. Walker.

Kelly Atkinson, Fraternal Order of Police, spoke for the bill.

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

Rep. Last relinquished the chair back to Rep. Dougall.

H.B. 39 Divestment of Certain Retirement Fund Investments (Rep. Julie Fisher)

Rep. Fisher explained the bill to the committee.

MOTION: Rep. Last moved to amend the bill as follows:

1. *Page 2, Line 47 through Page 3, Line 59:*

47 (b) (i) "Scrutinized company" means a publicly traded foreign company that:

48 (A) (I) (Aa) has business operations that involve a contract with or provision of
supplies or

49 services to a scrutinized entity;

50 {~~(H)~~} (Bb) has any direct or indirect equity share, consortium, or project
commissioned by a

51 scrutinized entity; or
52 ~~{(H)}~~ **(Cc)** is involved in a consortium or project commissioned by a
scrutinized entity; ~~{and}~~
53 ~~{(B)-(F)}~~ **(II)** has more than 5% of the company's total revenues or assets
linked to a
54 scrutinized entity; and
55 ~~{(H)}~~ **(III)** has failed to adopt, publicize, and implement a formal plan to
reduce the
56 investment to 5% or below within one year; or
57 ~~{(C)}~~ **(B)** has, with actual knowledge, on or after August 5, 1996, made an
investment of \$20
58 million or more, or any combination of investments which in the aggregate exceeds \$20
million
59 in any 12-month period, in a scrutinized entity.

The motion passed unanimously with Rep. Morgan and Rep. Tilton absent for the vote.

Mr. Robert Newman, Executive Director of Utah Retirement Systems spoke in opposition to the bill.

The following people spoke for the bill:

Ms. Alexis Worlock, Citizen

Mr. Ken Wallentine, Citizen - Father of Soldier

Mr. Chamberlin Neff, Soldier

MOTION: Rep. Harper moved to amend the bill as follows:

1. *Page 3, Lines 77 through 79:*

77 (b) Subject to the provisions of Subsection (2)(c), any divestment of holdings
required
78 under Subsection (2)(a) shall be completed in at least the following time frames which
shall
79 begin on ~~{May 5, 2008}~~ **Jan 1, 2009** :

SUBSTITUTE

MOTION: Rep. Last moved to amend the bill as follows:

1. *Page 3, Lines 77 through 79:*

- 77 (b) Subject to the provisions of Subsection (2)(c), any divestment of holdings
 required
78 under Subsection (2)(a) shall be completed in at least the following time frames which
 shall
79 begin on {~~May 5, 2008~~} July 1, 2009 :

The motion passed unanimously with Rep. Tilton absent for the vote.

MOTION: Rep. Harper moved to pass the bill out favorably as amended. The motion passed unanimously.

MOTION: Rep. Harper moved to adjourn. The motion passed unanimously and the Chair adjourned the meeting at 1:10 p.m.

Rep. John Dougall, Chair