

**MINUTES OF HOUSE EDUCATION  
STANDING COMMITTEE**

February 20, 2008

Room 445C, State Capitol Building

**MEMBERS PRESENT:** Rep. Gregory H. Hughes, Chair  
Rep. Patrick Painter, Vice Chair  
Rep. Sylvia S. Andersen  
Rep. Brad Dee  
Rep. Craig A. Frank  
Rep. James R. Gowans  
Rep. Kory M. Holdaway  
Rep. Bradley G. Last  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold  
Rep. LaWanna "Lou" Shurtliff  
Rep. Kenneth W. Sumsion  
Rep. Stephen Urquhart  
Rep. Mark A. Wheatley

**MEMBERS ABSENT:** Rep. Becky Lockhart

**STAFF PRESENT:** Constance C. Steffen, Policy Analyst  
Linda Service, Committee Secretary  
Dee S Larsen, Associate General Counsel

**Note: List of visitors and copy of handouts are filed with committee minutes.**

Rep. Painter, Vice Chair, called the meeting to order at 8:10 a.m.

MOTION: Rep. Anderson moved to approve the minutes of February 18, 2008. The motion passed unanimously. Rep. Last, Rep. Sumsion, Rep. Urquhart, and Rep. Wheatley were absent for the vote.

**H.B. 475 Labor Organization Amendments (Rep. G. Hughes)**

Rep. Hughes introduced the bill which amends provisions related to employee payroll deductions for labor organizations and provisions related to collective bargaining on behalf of public employees.

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

*1. Page 2, Line 51 through Page 3, Line 62:*

- 51           (2) (a) An employee may direct an employer, in writing, [~~that an employer~~] to  
deduct  
52   from the employee's wages a specified sum for union dues[~~, not to exceed 3% per~~  
~~month,~~] to be  
53   paid to a labor organization designated by the employee[~~;~~] if:

- 54            ~~{(i) the amount deducted for union dues per month does not exceed~~  
              ~~3% of the~~  
55        ~~employee's monthly wages;~~  
56        ~~—(ii)}~~    (i)    the employer promptly begins making deductions for union  
              dues from the wages of  
57        the employee for the benefit of a labor organization when the employer receives a  
              written  
58        communication from the employee directing that deductions begin; and  
59            ~~{(iii)}~~    (ii)    the employee is not under any agreement, contract, or  
              obligation to continue  
60        payments or contributions to the labor organization    ~~{:~~  
61        ~~—(A)}~~    for any set period in excess of one month    ~~{:or}~~    .  
62            ~~{(B) in a total amount exceeding the monthly limit specified under~~  
              ~~Subsection (2)(a)(i).}~~

The motion passed unanimously. Rep. Sumsion and Rep. Urquhart were absent for the vote.

The following spoke in opposition to the bill:

Geoff Leonard, Utah School Employees Association  
Susan Kusiak, Utah Education Association  
Vic Arnold, Utah Education Association  
Debbie White, American Federation of Teachers

Mr. Arnold expressed appreciation to Chair Hughes for conducting the meetings of the House Education Committee in a fair manner.

MOTION: Rep. Newbold moved to move to the next item on the agenda. The motion failed with Rep. Anderson, Rep. Gowans, Rep. Holdaway, Rep. Moss, Rep. Newbold, Rep. Shurtliff, and Rep. Wheatley voting in favor of the motion.

MOTION: Rep. Dee moved to pass the bill out as amended with a favorable motion. The motion passed with Rep. Gowans, Rep. Holdaway, Rep. Moss, Rep. Shurtliff, and Rep. Wheatley voting in opposition.

**H.B. 472        Charter School Building and Enrollment Amendments (Rep. K. Garn)**

MOTION: Rep. Holdaway moved to delete in title and body H.B. 472 and adopt 1st Substitute H.B. 472. The motion passed unanimously.

Rep. Garn introduced the bill which modifies charter school provisions. Lincoln Fillmore assisted in

making the presentation.

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

1. *Page 3, Lines 67 through 69:*

- 67        (3) A charter school shall report to school districts, by the last business day in  
April,  
68        May, June, July, and August, the aggregate numbers of **new** students, sorted  
by their resident school  
69        and grade level, who have accepted enrollment in the charter school.

The motion passed unanimously. Rep. Urquhart was absent for the vote.

The following spoke in support of the bill:

Julie Adamic, State Charter School Board  
Paul Baltus, Merit Academy  
Paige Anderson, Providence Hall

MOTION: Rep. Holdaway moved to pass out 1st Substitute H.B. 472 as amended with a favorable recommendation. The motion passed unanimously. Rep. Urquhart was absent for the vote.

Rep. Hughes assumed the chair.

**H.B. 325      Bullying and Hazing (*Rep. C. Moss*)**

Rep. Moss introduced the bill which requires adoption of school policies relating to bullying and hazing.

MOTION: Rep. Moss moved to delete in title and body H.B. 325 and adopt 1st Substitute H.B. 325. The motion passed unanimously. Rep. Dee, Rep. Frank, and Rep. Painter were absent for the vote.

Rep. Hughes turned the chair over to Rep. Urquhart.

Rep. Painter, Vice Chair, assumed the chair.

The following spoke in support of the bill:

Cara Cerise, Highland High student  
Jacob Short, Legislative Coalition for People with Disabilities  
Marilyn Larsen, Utah PTA  
Janalee Tobias, concerned parent

MOTION: Rep. Dee moved to pass out 1st Substitute H.B. 325 with a favorable recommendation. The

motion passed unanimously. Rep. Newbold, Rep. Urquhart, and Rep. Hughes were absent for the vote.

**H.B. 284 Utah College of Applied Technology Revisions (Rep. K. Holdaway)**

MOTION: Rep. Holdaway moved to delete in title and body 1st Substitute H.B. 284 and adopt 2nd Substitute H.B. 284. The motion passed unanimously. Rep. Newbold, Rep. Shurtliff, Rep. Urquhart, and Rep. Hughes were absent for the vote.

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

1. *Page 5, Lines 135 through 140:*

- 135 (iii) the Davis Applied Technology College Campus;  
136 ~~{(iv) the Tooele Applied Technology Campus;}~~  
137 ~~{(v)}~~ (iv) the Mountainland Applied Technology College Campus;  
138 ~~{(vi)}~~ (v) the Uintah Basin Applied Technology College Campus;  
139 ~~{(vii)}~~ (vi) the Southwest Applied Technology College Campus; and  
140 ~~{(viii)}~~ (vii) the Dixie Applied Technology College Campus.

2. *Page 17, Lines 501 through 503:*

- 501 (d) provide for open-entry, open-exit competency-based applied technology  
education  
502 programs, at the tuition rate approved ~~{by the Utah College of Applied~~  
~~Technology}~~ in accordance with the provisions under Subsection (5)  
for adults  
503 and at no tuition cost to secondary students, that emphasize short-term job  
training or retraining

3. *Page 18, Lines 531 through 534:*

- 531 applied technology education in the region served by Salt Lake Community  
College, including  
532 access to open-entry, open-exit competency-based applied technology education  
programs at  
533 the tuition rate approved ~~{by the Utah College of Applied Technology}~~ in  
accordance with the provisions under Subsection (5) for adults and at no  
534 tuition cost to secondary students.

**(5) For the 2008-09 and 2009-10 school years, the Utah College of**

**Applied Technology shall approve Salt Lake Community College's tuition rate for adult students who transferred from the Salt Lake/Tooele Applied Technology College Campus.**

The motion passed unanimously. Rep. Moss, Rep. Newbold, Rep. Shurtliff, Rep. Urquhart, and Rep. Hughes were absent for the vote.

Rep. Holdaway introduced the bill which modifies provisions relating to applied technology education, including merging part of the Salt Lake/Tooele Applied Technology College Campus with Salt Lake Community College.

The following spoke in opposition to the bill:

Tom Bingham, Chair, Salt Lake/Tooele Applied Technology College Campus  
Greg Fredde, Merit Medical

The following spoke in favor of the bill:

Dave Buhler, Interim Commissioner of Higher Education  
Christine Kearl, Governor's Office  
Cynthia Bioteau, President, Salt Lake Community College

MOTION: Rep. Urquhart moved to pass out 2nd Substitute H.B. 284 as amended with a favorable recommendation. The motion passed unanimously. Rep. Newbold and Rep. Hughes were absent for the vote.

**H.B. 311 Higher Education Distance Learning Partnerships (*Rep. B. Last*)**

Rep. Last introduced the bill which appropriates monies for videoconferencing equipment to expand higher education distance learning partnerships among Utah System of Higher Education institutions. Mike Peterson assisted in presenting the bill.

MOTION: Rep. Dee moved to pass the bill out with a favorable recommendation. The motion passed unanimously. Rep. Newbold, Rep. Urquhart, and Rep. Hughes were absent for the vote.

MOTION: Rep. Holdaway moved to adjourn at 9:47. The motion passed unanimously. Rep. Newbold, Rep. Urquhart, and Rep. Hughes were absent for the vote.

The following bill was not presented:

**H.B. 350 Home School Amendments (*Rep. C. Wimmer*)**

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Rep. Gregory H. Hughes, Chair