

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE
Wednesday, February 2, 2011
Room 445, State Capitol Building**

MEMBERS PRESENT: Rep. Bill Wright, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Patrice Arent
Rep. Becky Edwards
Rep. Steve Eliason
Rep. Greg Hughes
Rep. John Mathis
Rep. Kay McIff
Rep. Carol Spackman Moss
Rep. Merlynn Newbold
Rep. Marie Poulson
Rep. Kraig Powell
Rep. Holly Richardson
Rep. Ken Sumsion

MEMBERS ABSENT: Rep. Rebecca Lockhart

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Linda Service, Committee Secretary

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

Rep. Wright called the meeting to order at 2:12 p.m.

MOTION: Rep. Arent moved to approve the minutes of February 1, 2011. The motion passed unanimously. Rep. Christensen, Rep. Hughes, Rep. Mathis, Rep. McIff, and Rep. Poulson were absent for the vote.

H.B. 50 School Termination Procedures Modifications (*Rep. R. Menlove*)

Rep. Menlove introduced the bill which amends the Utah Orderly School Termination Procedures Act.

The following spoke in support of the bill:

Ron Wolff, Superintendent, Box Elder School District
Tani Downing, Director, Division of Risk Management
Larry Shumway, Superintendent, Utah State Office of Education
Jodee Sundberg, Utah School Boards Association

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

H.B. 195 Debt Service Obligations of a Divided School District (Rep. K. Sumsion)

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

1. Page 3, Lines 71 through 75:

71 (2) ~~{The}~~ (a) Except as provided in Subsection (2)(b), the local school
board of ~~[the]~~ a ~~{remaining}~~ new district created prior to May 10,
2011 shall ~~{continue to}~~ levy a tax on
72 property within ~~{+}~~ the ~~{+}~~ ~~{a}~~ new district ~~{created prior to May 10,~~
2011} sufficient to pay the new
73 district's proportionate share of the indebtedness determined under ~~[this section]~~
Subsection
74 (1) {, and shall annually report the amount of the proceeds of the tax to the business
75 administrator of the new district} . =
(b) If a new district has money available to pay the new district's proportionate
share of the indebtedness determined under Subsection (1), the new district may
abate a property tax to the extent of money available.

2. Page 3, Line 81 through Page 4, Line 93:

81 (4) If a new district is created on or after May 10, 2011 ~~{;}~~ .
82 ~~{(a)}~~ property within the new district and the remaining district is subject to the
levy of a
83 tax to pay the divided school district's outstanding bonded indebtedness ~~{; and}~~ as
provided in Subsection (5).
84 ~~{(b) the local school board of the remaining district shall:~~
85 (i) levy a tax each taxable year on property within the new district and
remaining
86 district until the outstanding bonded indebtedness of the divided school district is
retired; and
87 (ii) annually report the amount of the proceeds of the tax to the business
administrator
88 of the new district.}
89 (5) ~~{The}~~ (a) Except as provided in Subsection (5)(b), the local school
board of the new district and the local school board of the remaining district shall
impose a tax levy ~~{under~~
90 Subsection (4)} at a rate that:

91 ~~{(a)}~~ (i) generates from the combined districts the amount of revenue
required each year to meet the outstanding bonded

92 indebtedness of the divided school district; and

93 ~~{(b)}~~ (ii) is uniform within the new district and remaining district. =

(b) A local school board of a new district may abate a property tax required to be imposed under Subsection (5)(a) to the extent the new district has money available to pay to the remaining district the amount of revenue that would be generated within the new district from the tax rate specified in Subsection (5)(a).

The motion passed unanimously. Rep. Arent and Rep. Mathis were absent for the vote.

Rep. Sumsion introduced the bill which modifies requirements for the imposition of a tax on property within a new district and remaining district to pay the debt service obligations of a divided school district.

MOTION: Rep. Newbold moved to pass out **H.B. 195** as amended with a favorable recommendation. The motion passed unanimously. Rep. Arent, Rep. Mathis, and Rep. Powell were absent for the vote.

H.B. 83 Charter School Revolving Account (Rep. G. Hughes)

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

1. Page 1, Line 16:

16 procedures for making loans from the account; =

► provides that the assets of, and loan payments for loans made from, the Charter School Building Revolving Subaccount shall be deposited into the Charter School Revolving Account; and

2. Page 1, Line 21:

21 ~~{None}~~ This bill provides an immediate effective date.

This bill provides revisor instructions.

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3. Page 2, Lines 33 through 34:

33 (2) (a) There is created within the Uniform School Fund a restricted account
known as the Charter School Revolving

34 Account to provide assistance to charter schools to:

4. Page 3, Line 76:

76 section that exceed a total of \$2,000,000 in any fiscal year. =

(10)(a) On the effective date of this bill, the assets of the Charter School Building Subaccount administered by the State Board of Education shall be deposited into the Charter School Revolving Account.

(b) Beginning on the effective date of this bill, loan payments for loans made from the Charter School Building Subaccount shall be deposited into the Charter School Revolving Account.

5. *Page 3, Lines 80 through 81:*

80 (1) (a) There is created~~[-(a) the "Capital Outlay Loan Program" to provide: (i)]~~
within
81 the Uniform School Fund **a restricted account known as** the School Building
Revolving Account to provide short-term help

6. *Page 6, Lines 166 through 167:*

166 ~~{(7) The Charter School Building Account created in Section 53A-1a-522.}~~
167 {+} (7) {+} ~~{(8)}~~ Appropriations to the State Board of Education, as
provided in Section

7. *Page 6, Line 169:*

169 {+} (8) {+} ~~{(9)}~~ Certain funds appropriated from the Uniform School
Fund to the State Board

8. *Page 6, Lines 175 through 176:*

175 ~~{(10) The School Building Revolving Account created in Section~~
~~53A-21-401.}~~
176 ~~{(11)}~~ (9) Money received by the State Office of Rehabilitation for the sale
of certain

9. *Page 6, Line 179:*

179 ~~[(13)]~~ ~~{(12)}~~ (10) Certain funds appropriated from the General Fund to the
State Board of

10. *Page 6, Line 181:*

181 ~~[(14)]~~ ~~{(13)}~~ (11) A certain portion of money collected for administrative
costs under the

11. *Page 7, Line 183:*

183 ~~[(15)]~~ ~~{(14)}~~ (12) Certain surcharges on residence and business

telecommunications access

12. Page 7, Line 185:

185 [~~(16)~~] {~~(15)~~} (13) Certain fines collected by the Division of Occupational
and Professional

13. Page 7, Line 188:

188 [~~(17)~~] {~~(16)~~} (14) The Nurse Education and Enforcement Account created
in Section

14. Page 7, Line 190:

190 [~~(18)~~] {~~(17)~~} (15) The Certified Nurse Midwife Education and Enforcement
Account created

15. Page 7, Line 192:

192 [~~(19)~~] {~~(18)~~} (16) Certain fines collected by the Division of Occupational
and Professional

16. Page 7, Line 195:

195 [~~(20)~~] {~~(19)~~} (17) The Professional Geologist Education and Enforcement
Account created in

17. Page 7, Lines 197 through 198:

197 [~~(21)~~] {~~(20)~~} (18) Certain money in the Water Resources Conservation and
Development
198 Fund, as provided in Section 59-12-103. =

Section 4. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Section 5. Revisor Instructions.

It is the intent of the Legislature, that in preparing the Utah Code database for publication, the Office of Legislative Research and General Counsel shall replace the phrase "the effective date of this bill" in Subsections 53A-1a-522(10)(a) and 53A-1a-522(10)(b) with the bill's actual effective date.

The motion passed unanimously. Rep. Arent, Rep. Mathis, and Rep. Powell were absent for the vote.

Rep. Hughes introduced the bill which reorganizes provisions relating to a revolving loan account for charter schools.

The following spoke in support of the bill:

Chris Bleak, Utah Association of Public Charter Schools
Larry Shumway, Superintendent, Utah State Office of Education

MOTION: Rep. Newbold moved to pass out **H.B. 83** as amended with a favorable recommendation. The motion passed unanimously. Rep. Arent and Rep. Powell were absent for the vote.

H.B. 220 **Civics Education Amendments** (*Rep. M. Morley*)

H.B. 220 was not considered.

MOTION: Rep. Edwards moved to adjourn at 2:45 p.m. The motion passed unanimously. Rep. Arent and Rep. Powell were absent for the vote.

Rep. Bill Wright, Chair

