



UTAH STATE

LEGISLATURE

# MINUTES

## SENATE EDUCATION STANDING COMMITTEE

Friday, February 24, 2023 | 8:00 a.m. | 210 Senate Building

**Members Present:**

Sen. John D. Johnson, Chair  
Sen. Lincoln Fillmore  
Sen. Keith Grover  
Sen. David P. Hinkins  
Sen. Kathleen A. Riebe

President J. Stuart Adams  
Sen. Michael K. McKell  
Sen. Ann Millner  
Sen. Jerry W. Stevenson

**Staff Present:**

Micah Ann Wixom, Policy Analyst  
Tisha Gibby, Committee Secretary

**Members Absent:**

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Johnson called the meeting to order at 8:26 a.m.

**MOTION:** Sen. Grover moved to approve the February 22, 2023 minutes. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**1. H.B. 421 School LAND Trust Program Amendments (Moss, J.)**

Rep. Jefferson Moss presented the bill.

**MOTION:** Sen. Grover moved to pass H.B. 421 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**2. H.J.R. 18 Proposal to Amend Utah Constitution - State School Fund (Moss, J.)**

Rep. Moss presented the bill.

**MOTION:** Sen. Riebe moved to pass H.J.R. 18 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**3. S.B. 275 Public Education Trust Fund Amendments (Riebe, K.)**

**MOTION:** Sen. Riebe moved to amend S.B. 275 with Amendment #1. The motion passed with a vote of 5 - 0 - 4.

Amendment 1  
S.B. 275

1. Page 6, Lines 173 through 174:  
173 expenditures, and investments: {~~and~~}  
(f) after considering the recommendation of the advisory council, adopt a spending policy that includes a cap of 5% of the average market value of the trust fund over the past 20 consecutive quarters; and  
174 {~~(f)~~} (g) take any other action necessary to fulfill the state board's fiduciary obligations.
  
2. Page 6, Line 182 through Page 7, Line 187:  
182 {~~(10)~~} With the primary goal of providing for stability, income, and growth of the  
-183 principal, the state treasurer shall invest:  
184 — (a) for fiscal years 2024 and 2025, up to 80% of the trust funds;  
185 — (b) for fiscal years 2026 through 2030, up to 92% of the trust funds; and  
186 — (c) for fiscal years after 2030, the principal of the trust fund.  
187 {~~(11)~~} (10) (a) The state treasurer shall invest the trust fund money with the primary goal of
  
3. Page 7, Lines 208 through 211:  
208 {~~(12)~~} (11) (a) The trust fund shall earn interest.  
209 (b) The treasurer shall deposit the interest or other income earned from investment of  
210 the trust funds into the trust fund.  
211 {~~(13)~~} (12) The state board shall annually report trust fund earnings and expenditures to the

Yeas - 5  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 4  
Sen. J. Adams  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Sen. Riebe presented the bill with the assistance of Marlo Oaks, State Treasurer.

Delene Jaques, Utah Education Association, spoke in favor of the bill.

**MOTION:** Sen. Grover moved to move to the next agenda item.

**SUBSTITUTE MOTION:** Sen. Hinkins moved to place S.B. 275 on the interim study list . The substitute motion passed with a vote of 5 - 0 - 4.

Yeas - 5  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 4  
Sen. J. Adams  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**4. 3rd Sub. H.B. 203 Inmate Education Amendments (Ballard, M.G.)**

[2 HB 203](#)

Rep. Melissa Ballard presented the bill.

Jim Behunin, citizen, spoke in favor of the bill.

Ryan Hogan, citizen, spoke in favor of the bill.

Paige Norton, citizen, spoke in favor of the bill.

Jared Haines, Senior Advisor, Utah System of Higher Education, spoke in favor of the bill.

Anndrea Parrish, Utah Department of Corrections, spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to pass 3rd Substitute H.B. 203 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**5. H.B. 405 School Bus Owner Requirements (*Brammer, B.*)**

Rep. Brady Brammer presented the bill.

**MOTION:** Sen. Hinkins moved to pass H.B. 405 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Grover moved to place H.B. 405 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**6. H.B. 403 Student Mental Health Amendments (*Eliason, S.*)**

Rep. Steve Eliason presented the bill.

Susan Edwards, Canyons School District, spoke in favor of the bill.

Linda Hanks, Utah School Board Association and Utah Superintendent Association, spoke in favor of the bill.

Delene Jaques, citizen, spoke in favor of the bill.

Taryn Hiatt, Area Director, Utah Chapter of the American Foundation for Suicide Prevention, spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to amend H.B. 403 with Amendment #2. The motion passed with a vote of 4 - 0 - 5.

Amendment 2  
H.B. 403

- 1. Page 2, Lines 33 through 37:
- 33 53F-2-522. Public education mental health screening.
- 34 (1) As used in this section:
- 35 (a) "Division" means the Division of ~~{ Substance Abuse and Mental Health }~~ Integrated Healthcare.
- 36 (b) "Non-participating LEA" means an LEA that does not administer an approved
- 37 mental health screening program described in this section.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Hinkins moved to pass H.B. 403 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**7. 2nd Sub. H.B. 175 School Fees Amendments (Strong, M.A.)**

Rep. Mark Strong presented the bill.

**MOTION:** Sen. Hinkins moved to replace 2nd Substitute H.B. 175 with 3rd Substitute H.B. 175. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Angie Stallings, Deputy Superintendent, Utah State Board of Education, spoke to the bill.

Linda Hanks spoke against the bill.

Jay Blain, Director, Utah Education Association, spoke to the bill.

Jennie Earl, Vice-Chair, Utah State Board of Education, spoke to the bill.

Anna McNamer, teacher, spoke to the bill.

Aaryn Birchell, teacher, spoke to the bill.

Nichole Mason, President, Utah Parents United, spoke in favor of the bill.

**MOTION:** Sen. Grover moved to pass 3rd Substitute H.B. 175 out favorably. The motion passed with a vote of 3 - 1 - 5.

Yeas - 3  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson

Nays - 1  
Sen. K. Riebe

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**8. 2nd Sub. H.B. 411 Student Behavioral Health Services Amendments (Peterson, K.)**

Rep. Karen Peterson presented the bill.

**MOTION:** Sen. Hinkins moved to pass 2nd Substitute H.B. 411 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Hinkins moved to place 2nd Substitute H.B. 411 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Hinkins moved to adjourn. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Chair Johnson adjourned the meeting at 9:43 a.m.