



MINUTES

SENATE EDUCATION STANDING COMMITTEE

Friday, February 9, 2024 | 2:00 p.m. | 210 Senate Building

Members Present:

Sen. John D. Johnson, Chair
Sen. Lincoln Fillmore
Sen. Keith Grover
Sen. David P. Hinkins
Sen. Michael K. McKell
Sen. Ann Millner
Sen. Kathleen A. Riebe

Sen. Jerry W Stevenson

Members Absent:

President J. Stuart Adams

Staff Present:

Finn Andrew Rose, Policy Analyst
Emma Johnsen, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair John D. Johnson called the meeting to order at 2:14 PM.

1. 2nd Sub. H.B. 248 Inmate Amendments (*Ballard, M.G.*)

Rep. Melissa G. Ballard presented the bill with the assistance of Eric Hutchings, Director of Legislative Affairs, Utah Department of Corrections and Jared Haines, Higher Education Corrections Council, Utah System of Higher Education.

MOTION: Sen. Kathleen A. Riebe moved to pass 2nd Substitute H.B. 248 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

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

Nays - 0

Absent - 4

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

2. 1st Sub. H.B. 62 Utah Water Ways Amendments (*Owens, D.*)

Rep. Doug Owens presented the bill.

Abby Hunsaker, Policy Advisor, Unified Economic Opportunity Commission, spoke in favor of the bill.

MOTION: Sen. Riebe moved to pass 1st Substitute H.B. 62 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

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

Nays - 0

Absent - 4

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

3. H.B. 296 Reading Disability Amendments (*Pulsipher, S.*)

Rep. Susan Pulsipher presented the bill.

Alyssa DeHart, Director of Development and Communication, Turn Community Services, spoke in favor of the bill.

MOTION: Sen. Riebe moved to pass H.B. 296 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

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

Nays - 0

Absent - 4

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

4. S.B. 205 Child Sexual Abuse Prevention Amendments (Cullimore, K. A.)

Sen. Kirk Cullimore presented the bill with the assistance of Mary Catherine Perry, Director of Policy and Government Affairs, the Policy Project and Kristin Andrus, Community Champion, the Policy Project.

Caroline Ashton, Executive Director, RLC Family Foundation, spoke in favor of the bill.

Rob Campbell, Director, Wheeler Machinery Co, spoke in favor of the bill.

Steve Waldrip, citizen, spoke in favor of the bill.

Nicholeen Peck, President, Worldwide Organization for Women, spoke in favor of the bill.

Kristal Affleck, citizen, spoke in favor of the bill.

Katherine Davis, citizen, spoke in favor of the bill.

Angela Aedo, Family Life Commissioner, Utah PTA, spoke in favor of the bill.

Peggy Warner Ayers, citizen, spoke in favor of the bill.

Jackie Warren, citizen, spoke in favor of the bill.

Chris Yadon, Chief Philanthropy Officer, Derek and Shelaine Maxfield Family Foundation, spoke in favor of the bill.

Laurieann Thorpe, Executive Director, Prevent Child Abuse Utah, spoke in favor of the bill.

Alyssa DeHart, Director of Development and Communication, Turn Community Services, spoke in favor of the bill.

Adam Ashton, citizen, spoke in favor of the bill.

Cynthia Gambill, Chief Relationship Officer, Saprea, spoke in favor of the bill.

MOTION: Sen. Riebe moved to pass S.B. 205 out favorably. The motion passed with a vote of 8 - 0 - 1.

Yeas - 8

Sen. L. Fillmore
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Johnson
Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Nays - 0

Absent - 1

Sen. J. Adams

5. 2nd Sub. H.B. 172 Immigrant Student Athlete Participation Amendments (*Teuscher, J.*)

Rep. Teuscher presented the bill.

Sen. Lincoln Fillmore assumed the chair.

MOTION: Sen. Ann Millner moved to pass 2nd Substitute H.B. 172 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6

Sen. L. Fillmore
Sen. K. Grover
Sen. D. Hinkins
Sen. J. Johnson
Sen. A. Millner
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. M. McKell
Sen. J. Stevenson

Sen. Johnson assumed the chair.

6. H.B. 29 Sensitive Material Review Amendments (*Ivory, K.*)

Rep. Ken Ivory presented the bill with the assistance of Brooke Stevens, citizen.

Gloria Vindas, citizen, spoke in favor of the bill.

Peter Bromberg, Advocacy Committee Co-Chair, Utah Library Association, spoke to the bill.

Alvin Guo, Vice President, Utah College of Republicans, spoke in favor of the bill.

Brittney Nielson, citizen, spoke in opposition to the bill.

Nicholeen Peck, President, Worldwide Organization for Women, spoke in favor of the bill.

Juliet Reynolds, citizen, spoke in opposition to the bill.

Goud Maragani, Chairman, Utah Gay-Straight Coalition, spoke in favor of the bill.

Terra Cooper, Member, Utah Parents for Teachers, spoke in opposition to the bill.

Ron Williams, Advisory Board Member, Path Forward Utah, spoke in favor of the bill.

Deborah Gatell, citizen, spoke in opposition to the bill.

Laurene Starkey, citizen, spoke in favor of the bill.

Lexi Cunningham, Member, Utah School Superintendent Association & Utah School Boards Association, spoke to the bill.

Maryann Christensen, Executive Director, Utah Legislative Watch, spoke to the bill.

Ellie Menlove, Policy Council, ACLU Utah, spoke in opposition to the bill.

Kathryn Pratchett, citizen, spoke in favor of the bill.

Margaret Hatch, citizen, spoke in opposition to the bill.

Diane Livingston, Member, United Parents United, spoke to the bill.

David Bettger, citizen, spoke to the bill.

Megan Jay, citizen, spoke in favor of the bill.

Regina Washington, citizen, spoke in favor of the bill.

Dalane England, citizen, spoke in favor of the bill.

Donald Porter, citizen, spoke in opposition to the bill.

Levy Woodruff, citizen, spoke in opposition to the bill.

MOTION: Sen. Michael K. McKell moved to replace H.B. 29 with 1st Substitute H.B. 29. The motion passed with a vote of 4 - 2 - 3.

Yeas - 4
Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Nays - 2
Sen. K. Grover
Sen. J. Johnson

Absent - 3
Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

MOTION: Sen. McKell moved to amend 1st Substitute H.B. 29 with Amendment #1. The motion passed with a vote of 6 - 0 - 3.

Amendment 1
1st Sub. H.B. 29

1. Page 4, Lines 86 through 88:
86 (B) for a concurrent enrollment course that contains sensitive material and for which a
87 parent receives notice from the course provider of the material before {enrolling} enrollment of the parent's
child and gives the
88 parent's consent by enrolling the parent's child ;

2. Page 6, Line 173 through Page 7, Line 179:
173 (7) (a) If the threshold described in Subsection (7)(b) is met, each LEA statewide shall
174 remove the material from student access unless the LEA governing board:
175 (i) places the given instructional material on an LEA governing board agenda within 60
176 days after the day on which the LEA receives a notification from the state board described in
177 Subsection (7)(c); and
178 (ii) at the specified LEA governing board meeting, votes to {remove or} retain the
179 instructional material.

Yeas - 6

Sen. K. Grover
Sen. J. Johnson
Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Nays - 0

Absent - 3

Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

MOTION: Sen. Keith Grover moved to amend 1st Substitute H.B. 29 with Amendment #2. The motion failed with a vote of 2 - 4 - 3.

Amendment 2
1st Sub. H.B. 29

1. Page 8, Line 214:

(9) In accordance with an LEA governing board's generally applicable time, place, and manner restrictions, the board may not restrict the content of an individual's speech during the public comment portion of a meeting of the board that is an excerpt from instructional material that is available to student access in a school setting within the LEA.

214 {~~(9)~~} (10) The state shall defend, indemnify, and hold harmless a person acting under color of

2. Page 8, Line 220:

220 {~~(10)~~} (11) Subject to prioritization of the Audit Subcommittee created in Section 36-12-8,

3. Page 8, Line 225:

225 material audits under this Subsection {~~(10)~~} (11).

Yeas - 2

Sen. K. Grover
Sen. J. Johnson

Nays - 4

Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Absent - 3

Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

MOTION: Sen. McKell moved to pass 1st Substitute H.B. 29 out favorably. The motion passed with a vote of 5 - 1 - 3.

Yeas - 5

Sen. K. Grover
Sen. J. Johnson
Sen. M. McKell
Sen. A. Millner
Sen. J. Stevenson

Nays - 1

Sen. K. Riebe

Absent - 3

Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

MOTION: Sen. McKell moved to approve the minutes of the February 8, 2024 meeting. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6

Sen. K. Grover
Sen. J. Johnson
Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Nays - 0

Absent - 3

Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

MOTION: Sen. Riebe moved to adjourn. The motion passed with a vote of 6 - 0 - 3.



Yeas - 6

Sen. K. Grover
Sen. J. Johnson
Sen. M. McKell
Sen. A. Millner
Sen. K. Riebe
Sen. J. Stevenson

Nays - 0

Absent - 3

Sen. J. Adams
Sen. L. Fillmore
Sen. D. Hinkins

Chair Johnson adjourned the meeting at 4:20 PM.

NOTE: S.B. 0164, S.B. 0192 were not discussed in the meeting.