MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
Tuesday, February 11, 2003
Room 131, STATE CAPITOL BUILDING

Members Present: Sen. Bill Wright, Committee Chair
                          Sen. Patrice M. Arent
                          Sen. D. Chris Buttars
                          Sen. Karen Hale
                          Sen. David H. Steele
                          Sen. Howard A. Stephenson
                          Sen. John L. Valentine

Members Excused: Sen. David L. Gladwell

Staff Present: Constance C. Steffen, Policy Analyst
                          Saundra Maeser, Secretary

Public Speakers Present: Mike Jerman, Vice President, Utah Taxpayers Association
                          Larry Newton, Finance Director, Utah State Office of Education
                          Steven Peterson, Utah School Boards Association and Utah School
                            Superintendents Association
                          Dale Hansen, Business Manager, Cache School District
                          Jim Eldredge, Utah Education Association
                          Sarah Meier, Utah School Boards Association/Granite
                          Tom Bingham, President, Utah Manufacturers Association
                          Sheryl Phipps, former member, Davis School Board
                          David Buhler, Assoc. Commissioner, Utah System of Higher Education
                          Ron Ivie, Park City Fire Marshall
                          Jim Olsen, President, Utah Retail Merchants Association
                          Scott Adams, Chair, Fire Prevention Board, Park City
                          Brent Halladay, Utah State Fire Marshall

Visitor list on file.

Committee Chair Wright called the meeting to order at 8:11 a.m.

1. **S.B. 139 Voted Leeway Amendments** (L. Hillyard)

    Sen. Lyle Hillyard explained the bill exempts the voted leeway from the certified tax rate.

    MOTION: Sen. Hale moved to adopt 1st Substitute S.B. 139. The motion passed
    unanimously with Sen. Buttars and Sen. Valentine absent for the vote.

The following spoke in opposition to the bill:
Mr. Mike Jerman, Vice President, Utah Taxpayers Association
Mr. Tom Bingham, President, Utah Manufacturers Association

The following spoke in support of the bill:
Mr. Larry Newton, Finance Director, Utah State Office of Education
Mr. Steven Peterson, Utah School Boards Association and Utah School Superintendents Association
Mr. Dale Hansen, Business Manager, Cache School District
Ms. Sarah Meier, Utah School Boards Association/Granite
Mr. Jim Eldredge, Utah Education Association
Ms. Sheryl Phipps, former member of the Davis School Board

MOTION: Sen. Hale moved to pass the bill out favorably. The motion failed with Sen. Arent, Sen. Hale, and Sen. Steele voting in favor of the bill.

2. **S.B. 109 Education Assistance for National Guard Members** (P. Knudson)

   MOTION: Sen. Arent moved to amend the bill as follows:

   1. Page 1, Line 19:   Delete "10%" and insert "waivers"

   2. Page 2, Line 20:   After "Guard." insert "Waivers shall be preserved by the student at least 60 days before the beginning of an academic term."

   The motion passed unanimously.

   Sen. Peter Knudsen said the bill provides for tuition waivers for members of the Utah National Guard.

   Mr. David Buhler, Associate Commissioner, Utah System of Higher Education, spoke in support of the bill.

   MOTION: Sen. Valentine moved to pass out favorably S.B. 109 as amended. The motion passed unanimously.

3. **S.B. 76 Utah Fireworks Act Amendments** (Eastman)

   Sen. Dan Eastman said the bill allows the Utah Fire Prevention Board to modify the time of fireworks sales and the places where fireworks may be discharged. The bill also raises fees relating to fireworks.

MOTION: Sen. Arent moved to adopt 1ˢᵗ Sub S.B. 76. The motion passed unanimously with Sen. Valentine absent for the vote.

The following spoke in support of the bill:
Mr. Ron Ivie, Park City Fire Marshall
Scott Adams, Assistant Park City Fire Marshall and Utah Fire Prevention Board
Brent Halladay, Utah State Fire Marshall

The following spoke in opposition to the bill:
Jim Olsen, President, Utah Retail Merchants Association

MOTION: Sen. Stephenson moved to amend the bill as follows:

1. Page 1, Line 6:   After "**times**" delete "**for retail sale**"

2. Page 2, Line 41:   After "53-7-225" delete "for retail sale"

3. Page 2, Line 43:   Delete Lines 43-45

4. Page 2, Line 46:   Delete "(vi)" and insert "(v)"

5. Page 2, Line 48:   Delete "(vii)" and insert "(vi)"

6. Page 2, Line 50:   Delete "(viii)" and insert "(vii)"

7. Page 2, Line 52:   Delete "(ix)" and insert "(viii)"

8. Page 2, Line 53:   Delete "(x)" and insert "(ix)"

9. Page 2, Line 54:   Delete "(xi)" and insert "(x)"

10. Page 3, Line 79:   After "times" delete "for retail sale"

The motion passed with Sen. Arent and Sen. Hale voting in opposition and Sen. Valentine absent for the vote.

MOTION: Sen. Arent moved to pass the substitute bill, as amended, out favorably. The motion passed unanimously with Sen. Valentine absent for the vote.

MOTION: Sen. Hale moved to approve the minutes of February 6, 2003. The motion passed unanimously with Sen. Valentine absent for the vote.

MOTION: Sen. Arent moved to adjourn. The motion passed unanimously with Sen. Valentine absent for the vote.

Committee Chair Wright adjourned the meeting at 9:39 a.m.

Minutes were reported by Saundra Maeser, Secretary.

_____
Sen. Bill Wright, Chair