

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

January 28, 2005

Room W135, West Office Building, State Capitol Complex

MEMBERS PRESENT: Rep. Margaret Dayton, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Ron Bigelow
Rep. Duane Bourdeaux
Rep. John Dougall
Rep. James A. Ferrin
Rep. James R. Gowans
Rep. David L. Hogue
Rep. Kory M. Holdaway
Rep. Gregory H. Hughes
Rep. Bradley T. Johnson
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold
Rep. LaWanna Shurtliff
Rep. Stephen Urquhart

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Cindy Baker, Committee Secretary
Dee S. Larsen, Associate General Counsel

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

Chair Dayton called the meeting to order at 8:02 a.m. and welcomed committee members.

MOTION: Rep. Hogue moved to approve the minutes of January 24, and 26, 2005. The motion passed unanimously with Representatives Bourdeaux, Johnson, Urquhart, Christensen, and Moss absent for the vote.

H.B. 46 Public Education Capital Outlay Act Amendments (D. Cox)

Rep. Cox presented the bill on January 18, 2005.

MOTION: Rep. Hogue moved to pass the bill out favorably. The motion passed with Representatives Dayton and Newbold voting in opposition and Representatives Bourdeaux, Johnson, Urquhart, and Christensen absent for the vote.

H.B. 63 School Districts Amendments (D. Cox)

MOTION: Rep. Hogue moved to amend H.B. 63 as follows:

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1. *Page 5, Lines 135 through 139:*

- 135 ~~Am~~ (1) Upon the creation of a new district:
- 136 (a) an employee of an existing district who is employed at a school that is
transferred to
- 137 a new district shall become an employee of the new district; and
- 138 (b) the school board of the new district shall ;
- (i) have discretion in the hiring of all other
- 139 staff ~~[[.]] ;~~
- (ii) adopt the personnel policies and practices of the existing district, including
salary schedules and benefits; and
- (iii) enter into agreements with employees of the new district, or their
representatives, that have the same terms as those in the negotiated agreements
between the existing district and its employees.

2. *Page 5, Lines 140 through 143:*

- 140 (2) (a) Subject to Subsection (2)(b), an employee of a school district from which a
new
- 141 district is created who becomes an employee of the new district shall ~~[[receive the~~
~~same~~
- 142 ~~considerations as are provided to transferred employees by Section 53A-2-116 and~~
~~shall]]~~ retain
- 143 the same status as a career or provisional employee with accrued seniority and accrued
benefits .

The motion passed unanimously with Representatives Bourdeaux, Gowans, Holdaway, Johnson, Moss, Newbold, Urquhart, and Christensen absent for the vote.

Rep. Cox introduced the bill which modifies procedures for the creation of a new school.

Susan Kusiak, UEA, and Geoffrey Leonard, Utah Public School Employees Association, expressed appreciation for the changes made by the amendment.

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The following spoke in opposition to the bill:

Ronda Rose, Utah PTA

Marcus Phillips, Lehi

MOTION: Rep. Newbold moved to move to the next item on the agenda. The motion passed with Representatives Bordeaux, Dougall, Hogue, Johnson and Christensen voting in opposition and Representative Hughes absent for the vote.

H.B. 88 Air Conditioned Buses for Students with Disabilities (*D.Hogue*)

Rep. Hogue introduced the bill which provides money for the air conditioning of school vehicles that transport disabled students.

Brent Huffman, Utah State Office of Education, addressed questions from the committee.

The following spoke in support of the bill:

Chris Lawson, Legislative Coalition for Persons with Disabilities

Ronda Rose, Utah PTA

MOTION: Rep. Holdaway moved to pass the bill out favorably. The motion failed with Representatives Bourdeaux, Hogue, Holdaway, Moss and Shurtliff voting in favor and Representatives Hughes and Johnson absent for the vote.

MOTION: Rep. Dougall moved to adjourn the meeting. The motion passed unanimously with Representatives Hughes and Johnson absent for the vote.

Chair Dayton adjourned the meeting at 9:10 a.m.

Rep. Margaret Dayton, Chair