

**AMENDED MINUTES OF THE
HOUSE RETIREMENT AND INDEPENDENT ENTITIES STANDING COMMITTEE
Room 30, House Building, State Capitol Complex
February 24, 2010**

Members Present: Rep. Don Ipson, Chair
Rep. Stephen Sandstrom, Vice Chair
Rep. Brad Daw
Rep. Susan Duckworth
Rep. Neil Hansen
Rep. Wayne Harper
Rep. Brad Last
Rep. Merlynn T. Newbold
Rep. Christine Watkins

Staff Present: Benjamin N. Christensen, Policy Analyst
Danny Schoenfeld, Fiscal Analyst
Shannon Halvorsen, Attorney
Becky Lawyer, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Ipson called the meeting to order at 12:26 p.m.

MOTION: Rep. Daw moved to approve the minutes of the February 3, 2010 meeting. The motion passed unanimously.

S.B. 43S1 Post-retirement Employment Amendments (*Sen. D. Liljenquist*) (Rep.)

MOTION: Rep. Sandstrom moved to adopt 3rd Substitute S.B. 43. The motion passed unanimously.

S.B. 63S2 New Public Employees' Tier II Contributory Retirement Act (*Sen. D. Liljenquist*)

Sen. Liljenquist introduced and explained 3rd Substitute S.B. 43 and 2nd Substitute S.B. 63 together.

MOTION: Rep. Last moved to amend 2nd Substitute S.B. 63 as follows:

1. Page 47, Lines 1440 through 1442:

1440 (c) In addition to the percent specified under Subsection (2)(a), the participating
1441 employer shall pay the corresponding Tier I system amortization rate of the employee's
1442 compensation to the office **to be applied to the employer's corresponding Tier I**
system liability .

2. *Page 48, Lines 1474 through 1475:*

1474 (b) The member may make additional payments to **;**
 (i) the qualified 401(k) plan which
1475 receives the employer contribution described in this Subsection (1) **;** **or**
(ii) at the member's option, to another defined contribution plan established
by the participating employer .

3. *Page 64, Lines 1974 through 1976:*

1974 (c) In addition to the percent specified under Subsection (2)(a), the participating
1975 employer shall pay the corresponding Tier I system amortization rate of the employee's
1976 compensation to the office **to be applied to the employer's corresponding Tier I**
system liability .

4. *Page 65, Lines 2003 through 2004:*

2003 (b) The member may make additional payments to **;**
 (i) the qualified 401(k) plan which
2004 receives the employer contribution described in this Subsection (1) **;** **or**
(ii) at the member's option, to another defined contribution plan established
by the participating employer .

The motion to amend the bill passed unanimously.

Spoke in favor of the bills: Derek Monson, Sutherland Institute
Tom Hardy, Utah League of Cities and Towns

Spoke in opposition to the bills: Kory Holdaway, Utah Education Association
David O'Barry, citizen from Alpine School District
Ryan Miller, Utah State Firemen's Association
Jack Tidrow, Professional Firefighters of Utah
Chad Soffe, Fraternal Order of Police
Nathan Spofford, teacher
Sharon Waters, Utah Public Employees Association
Geoff Leonard, Utah School Employees Association
Susan Firmage, Davis School District teacher
Dr. Robert Book, educator and retired public employee

MOTION: Rep. Harper moved to pass 3rd Substitute H.B. 43 with a favorable recommendation. The motion passed with Rep. Duckworth, Rep. Hansen, and Rep. Watkins voting in opposition to the motion.

MOTION: Rep. Daw moved to pass 2nd Substitute S.B. 63 with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Hansen moved to table 3rd Substitute H.B. 43. The motion failed with Rep. Hansen in favor.

The original motion to recommend 3rd Substitute H.B. 43 favorably passed with Rep. Duckworth, Rep. Hansen, and Rep. Watkins voting in opposition to the motion.

MOTION: Rep. Last moved to adjourn. The motion passed unanimously.

Rep. Ipson adjourned the meeting at 1:59 p.m.

Rep. Don Ipson, Chair