

**MINUTES OF THE
SENATE RETIREMENT AND INDEPENDENT ENTITIES STANDING COMMITTEE
FRIDAY, FEBRUARY 12, 2010, 12:00 P.M.
ROOM 210, SENATE BUILDING, UTAH STATE CAPITOL COMPLEX**

Members Present: Sen. Daniel Liljenquist, Chair
Sen. Curtis Bramble
Sen. D. Chris Buttars
Sen. Brent Goodfellow
Sen. Karen Mayne

Members Excused: Sen. John Greiner

Staff Present: Benjamin N. Christensen, Policy Analyst
Shannon Halverson, Associate General Counsel
J. Daniel Schoenfeld, Fiscal Analyst
Sandra Maeser, Committee Secretary
Ernest Hayes, Committee Secretary

Public Speakers Present: Kim Campbell, President, Utah Education Association
Kory Holdaway, Utah Education Association
Ryan Mellor, Vice President, Utah State Firefighters Association
Jack Tidrow, Vice President, Professional Firefighters of Utah
Marty Peterson, pension representative, Professional Firefighters of Utah
Mike Lee, President, Unified Police Federation
Terry Keefe, President, Utah Police Chiefs Association
Brad Wardle, President, Utah Fire Chiefs Association
Roslyn Rainey, Sergeant, Salt Lake Police Association
Derek Monson, Policy Manager, Sutherland Institute
Aaron Rosen, self, Utah Police Officers Association
Gerald Haskell, Utah Alliance of Government Employees
Anthony Garcia, Vice President, AFSCME
John Crowley, Sheriff, Utah Police Officers Association
Jim Winder, Salt Lake County Sheriff, Unified Police Department
Adam Trupp, General Counsel, Utah Association of Counties
Jackie Evans, Research Analyst, Utah Taxpayers Association

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

Acting Committee Chair Bramble called the meeting to order at 12:41 p.m.

1. Approval of Minutes

MOTION: Sen. Liljenquist moved to approve the minutes of February 10, 2010.

The motion passed unanimously.

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

MOTION: Sen. Liljenquist moved to adopt 1st Substitute S.B. 63, New Public Employees' Tier II Contributory Retirement Act.

The motion passed unanimously.

3. S.B. 43 S1 Post-Retirement Employment Amendments (D. Liljenquist)

MOTION: Sen. Liljenquist moved to adopt Amendment 2, as follows:

1. *Page 12, Line 364 through Page 13, Line 375* ~~4~~⁴ 49-11-505. Reemployment of a retiree -- Restrictions.

365 (1) (a) This section applies to:
366 ~~{(a)}~~ (i) a participating employer; and
367 ~~{(b)}~~ (ii) a retiree who begins reemployment for the first time after retirement with
368 a participating employer on or after July 1, 2010.

(b) This section does not apply to a retiree who is reemployed as an active senior judge appointed to hear cases by the Utah Supreme Court in accordance with Article VIII, Section 4. Utah Constitution.

369 (2) (a) Except as provided under Subsection (2)(b), the office shall cancel the
370 retirement allowance of a retiree who is reemployed with a participating employer if the initial
371 reemployment begins on or after July 1, 2010.

372 (b) The office may not cancel the retirement allowance under Subsection (2)(a), if the
373 participating employer certifies that:

374 (i) the date of reemployment begins ~~{not}~~ no sooner than six months after the date
375 of reemployment, if the reemployment is with the same agency from which the retiree retired;

The motion passed unanimously.

Acting Chair Bramble stated that all three bills on the agenda will be considered simultaneously.

Kim Campbell, Utah Education Association, spoke in opposition to the bills.

Kory Holdaway, Utah Education Association, spoke in opposition to the bills.

Ryan Mellor, Utah State Firefighters Association, spoke in opposition to the bills.

Jack Tidrow, Professional Firefighters of Utah, spoke in opposition to the bills.

Marty Peterson, Professional Firefighters of Utah, spoke in opposition to the bills and distributed a handout.

Mike Lee, Unified Police Federation, spoke in opposition to the bills.

Terry Keefe, Utah Police Chiefs Association, spoke in opposition to 1st Sub. S.B. 63.

Brad Wardle, Utah Fire Chiefs Association, spoke in opposition to 1st Sub. S.B. 63.

Roslyn Rainey, Salt Lake Police Association, spoke in opposition to 1st Sub. S.B. 63.

Derek Monson, Sutherland Institute, spoke in support of the bills.

Aaron Rosen spoke in opposition to the bills.

Gerald Haskell, Utah Alliance of Government Employees, spoke in opposition to the bills.

Anthony Garcia, AFSCME, spoke in opposition to the bills.

Aaron Rosen spoke in opposition to the bills.

John Crowley, Utah Police Officers Association, spoke in opposition to the bills.

Jim Winder, Salt Lake County Sheriff, spoke in opposition to the bills.

Adam Trupp, Utah Association of Counties, spoke in support of 1st Sub. S.B. 43 and 1st Sub. S.B. 63.

Jackie Evans, Utah Taxpayers Association, spoke in support of the bills.

Sen. Liljenquist stated that S.B. 42, Retirement Eligibility Modifications, will remain in the rules committee.

3. S.B. 43 S1 Post-Retirement Employment Amendments (D. Liljenquist)

MOTION: Sen. Liljenquist moved to pass 1st Sub. S.B. 43, as amended, out of committee with a favorable recommendation.

The motion passed with Sen. Goodfellow and Sen. Mayne voting in opposition.

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

MOTION: Sen. Liljenquist moved to pass 1st Sub. S.B. 63 out of committee with a favorable recommendation.

The motion passed with Sen. Goodfellow and Sen. Mayne voting in opposition.

4. S.B. 94 Supplemental Benefit Amendments for Noncontributory Public Employees (D. Liljenquist)

MOTION: Sen. Liljenquist moved to pass S.B. 94, as amended, out of committee with a favorable recommendation.

The motion passed with Sen. Goodfellow and Sen. Mayne voting in opposition.

MOTION: Sen. Liljenquist moved to adjourn.

The motion passed unanimously.

The meeting adjourned at 3:01 p.m.

Minutes Reported by Sandra Maeser, Secretary.

Sen. Daniel Liljenquist, Committee Chair