

USHE Weekly Legislative Report
Fifth Week: February 24-28, 2014
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This is the fifth weekly report for 2014 on the legislative session from the perspective of the Utah System of Higher Education, for distribution to Regents, Presidents, and Trustees. There are 10 days until the last day of the legislative session.

Overview. Revised state tax revenue figures agreed upon by the Governor and legislative leadership were announced on Friday. New estimates indicate an increase in ongoing revenue of \$253 mil. and a slight increase in one-time revenue of \$144 mil. Both one-time and ongoing revenue have been revised upward slightly since the October 2013 estimates. One-time revenue is up by \$11 million (two-tenths of one percent) and ongoing revenue upward by \$47 million (almost one percent). These figures are slightly less than the growth in state tax revenue projections for the previous fiscal year (ongoing revenue was up \$264 mil., and one-time revenue was up \$161 mil). Additional information regarding the revenue projections are available [here](#).

Key Legislation of Interest to USHE

- **HB 72, Higher Education Grievance Procedure** by Rep. Mark Wheatley, requires the Board of Regents to enact regulations pertaining to an employee grievance. The proposed legislation requires sworn testimony for hearings related to employee demotions and terminations. The bill currently awaits a committee hearing in the Senate.
- **HB 92 (1st Sub), Utah Telehealth and Education Network Amendments*** by Rep. Ronda Rudd Menlove, combines the functions of the Utah Education Network and the Utah Telehealth Network as well as modifies the board membership of the current Utah Education Network. The bill was unanimously passed by the full Senate and awaits the Governor's signature.
- **HB 161, Prohibition on Electronic Data Assistance** by Rep Marc Roberts, prohibits cooperation between a federal agency that involuntarily collects electronic data and any political subdivisions of the state. The bill could have negative implications on higher education's ability to administer federal programs including federally guaranteed student loans, PELL grants, and the Free Application for Financial Student Aid (FAFSA). Several other political subdivisions have expressed similar concerns regarding the broad definitions within the bill. The bill currently awaits a House committee hearing.
- **HB 306, Licensure Modifications**** by Rep. Ryan Wilcox, modifies the requirements for obtaining licensure in landscape architecture by removing the requirement for an applicant to have a bachelor's or master's degree, or have completed supervised practical experience. Utah State University currently offers the only program in landscape architecture in the state. USU, together with the Utah Chapter of the American Society of Landscape Architects, are working to oppose this legislation and are in contact with the bill sponsor. The bill currently awaits a House committee hearing.
- **HB 345, Vending Services Operated by Blind Persons**** by Rep. Richard Greenwood, grants the Division of Services for the Blind and Visually Impaired the first right of refusal authority to establish a vending stand or food services enterprise in any public building or on any public property for operation by a blind person, including 4-year higher education institutions. The bill currently awaits a House committee hearing.
- **1st Sub. HB 405, Postsecondary School State Authorization*** by Rep. James Dunnigan, modifies requirements for proprietary colleges and universities and allows the Dept. of

Commerce to enter into interstate reciprocity agreements on behalf of USHE, alleviating the requirement for institutions to individually enter into such agreements. This provides a more efficient and coordinated process for institutions to offer services in other states (e.g. distance education). The bill unanimously passed the House Business and Labor Committee and awaits consideration by the full House.

- **HB 426, Retirement Participation Amendments** by Rep Ipson, requires an entity to continue participation or withdraw in the Utah Retirement System by January 1, 2015. If an entity withdraws, it would be required to pay the actuarial and administrative costs. The sponsor has expressed interest in addressing concerns raised by USHE. The bill currently awaits a House committee hearing.
- **SB 16, Veterans Tuition Gap Coverage*** by Sen. Luz Robles, provides state funded grants to qualifying military veterans who have maximized federal financial aid benefits. The bill passed the Senate Education Committee and awaits consideration by the full Senate.
- **2nd Sub. SB 22, Workforce Services Job Listing Amendments***, by Sen. Peter Knudson, requires government entities advertise job openings on the state website, *jobs.utah.gov*. The state's Division of Purchasing will be required to provide contact information for job listings of companies that contract with the state (a pending amendment exempts higher education). The substitute bill excludes job postings for USHE faculty and student-related positions. The bill awaits consideration by the full Senate.
- **SB 34, Governance of the Utah Education and Workforce Alliance** by Sen. Howard Stephenson, establishes a multi-agency governing board for the Utah Futures and Utah Data Alliance initiatives, to be administered by the Utah Education Network. The bill is scheduled for consideration by the Senate Education Committee on Monday, March 3.
- **SB 38 (1st Sub), Snow College Concurrent Education Program*** by Sen. Ralph Okerlund, Establishes a program that requires Snow College to provide concurrent enrollments courses via interactive video to rural school districts under direction of the Board of. The bill requires Snow College to establish a two-year schedule of course offerings via concurrent enrollment and provide advisory support to secondary school students. The substitute bill was passed the House Education Committee and awaits consideration by the full House.
- **SB 68, Veterans Centers*** by Sen. Peter Knudson, requires the State Board of Regents to study the feasibility of providing a veterans center or veterans services at each USHE institution and develop a plan for implementing the study of centers or services. The bill passed the Senate Education Committee and awaits consideration by the full Senate.
- **SB 151, Religious Freedom Instruction Requirements** by Sen. Stuart Reid, requires, as part of an award of a bachelor's degree, students must demonstrate reasonable understanding of the Establishment Clause and the Free Exercise Clause of the First Amendment to the U.S. Constitution, including religious freedom. The bill currently awaits a committee hearing.
- **SB 170, Education Loan Amendments**** by Senator Peter Knudson, modifies the Utah Consumer Code in relation to student loans by defining unconscionable actions of a higher education institutions and lender. USHE currently opposes this legislation and is working with the bill sponsor on modifications. The bill currently awaits a Senate committee hearing.
- **SB 236, Higher Education Admissions Amendments** by Senator Aaron Osmond, prohibits the use of certain academic performance criteria such as GPA and standardized test scores, in considering the admission of certain combat veterans or children of combat veterans to an institution of higher education. Sen. Osmond has agreed to withhold this legislation and allow USHE institutions to address concerns related to the admission of combat veterans without legislation.

* USHE has taken an official position in support; ** USHE has taken an official position in opposition.

For more information on legislation, committee agendas, or to view or listen to floor debates, see: <http://le.utah.gov/>