

Bill: SB 108 – Water Safety Amendments

Sponsor: Senator Jen Plumb

Floor Sponsor: TBD

UASD Position: Tracking

This Bill enacts provisions related to water safety.

Discussion: Senator Plumb introduced the Bill, emphasizing its goal of preventing child drownings. She noted that many states are enacting legislation to help at risk populations access swimming lessons because doing so has been proven to save lives. This Bill establishes a restricted account and a water safety grant program for community spaces, including recreation centers, private pools, and public pools. She highlighted that only about 10% of administrative costs are needed to implement the program statewide. Senator Plumb presented the Bill alongside Mr. Lexus from Thunder Project Zero Drowning, who provided background on drowning statistics in Utah. Notably, 34% of drownings occur in open water. They pointed out that residents of Southern Utah are twice as likely to die from drowning compared to other areas in the state.

Senator Escamilla spoke in support of the Bill, particularly considering the significant medical costs associated with drowning accidents and how frequently such incidents occur in Utah's lakes and rivers. Senator Brammer supported the Bill's intent but raised concerns about administering the grant program at the state level. He suggested that an alternative grant structure might be more appropriate and referenced HB 247, a House Bill with a lower fiscal note, as a potential way to consolidate efforts. Senator Plumb responded that she had explored other grant options but had not found a viable alternative to fund the program. Senator Brammer countered that Utah should consider applying for a USA Swimming grant to support the initiative. Mr. Lexus said that rural communities are at especially high risk due to a lack of access to swimming education and argued that the program would provide a strong return on investment by saving lives. Senator Cullimore voiced similar concerns to Senator Brammer, suggesting that cities and counties might be better suited to implement such a program rather than the state. Senator McCay asked whether counties had expressed unwillingness to take on this responsibility. The sponsor believed that counties would likely support the initiative but argued that a state level program could help facilitate and encourage local implementation. Senator McCay proposed that swimming lessons could potentially be incorporated into school programs. Senator Plumb noted that doing so would significantly increase the fiscal impact and that it may be more beneficial to teach younger children before they reach school age. There was no discussion from the public. A motion to hold the Bill was placed.

Yeas: 6

Nays: 1

N/V: 0

Outcome: SB 108 was held in the Committee.

Bill: SB 47 – Sales and Use Tax Remittance Amendments

Sponsor: Senator Wayne A. Harper

Floor Sponsor: Undeclared

UASD Position: Tracking

This Bill amends the requirements governing when a seller has to pay or collect and remit sales and use tax.

Discussion: Senator Harper stated that this was an interim committee Bill that puts in place best national practices for the Remote Tax Act. It is designed to relieve the burdens placed on small businesses. He said that the requirement for a number of transactions to be completed and a monetary amount achieved before there can be a small seller exemption. An amendment was made to the language on line 93 that eliminates the requirement for a seller to have at 200 or more separate transactions but maintains the language stating monetary amounts of \$100,000 or more. This change was made because the sponsor felt it would be easier for small businesses to comply. There were no clarifying questions for the Committee members and no one from the public commented on the Bill.

Yeas: 5

Nays: 0

N/V: 2

Outcome: SB 47 passed out of the Committee with a favorable recommendation.

Bill: 1st substitute HB 267 – Public Sector Labor Union Amendments

Sponsor: Representative Jordan Teuscher

Floor Sponsor: Senator Kirk Cullimore

UASD Position: Track with concern

This Bill amends provisions governing public employee, public safety, and public fire labor organizations.

Discussion: Representative Teuscher stated that the federal government has established the National Labor Relations Board that manages private labor unions. The states oversee managing their own public labor relations. He said that 1st substitute HB 267 only applies to public labor unions. It does not extend to plumber, electrician, and other labor unions that are not part of state or local governmental agencies. He said that the Bill does four things. First, it eliminates public sector bargaining agreements. He believes that this will ensure that all public employee voices are heard in negotiations with public sector employers. He also believes there is an inherent conflict of interest when there is public sector collective bargaining because of their “political nature”. Second, the Bill provides public sector educators with an option to purchase professional liability insurance. This gives teachers an alternative option for liability insurance protection without having to join the Utah Education Association (“UEA”). Third, it prevents public sector union staff who are not public employees from paying into the Utah Retirement System (“URS”). Lastly, it allows public sector unions to use public property for meetings and

events on the exact same terms as any other external individual or group. UASD worked diligently with the sponsor to amend the Bill to allow an employer, on a case-by-case basis, to allow a public labor organization or representative access to the public property if the employer deems that it is in the best interest of the employee. That will provide some protections for spaces that, for valid reasons, should not be generally open to the public.

The bulk of the questions from the Committee members were geared around public educators. Senator Escamilla pushed back against the sponsor in an effort to highlight the negative impacts this Bill could have on public employees. The sponsor said that this Bill does not prevent anyone from joining a union or prevent a union from representing their members. He believes that this Bill is not “heavy handed government” and that being “heavy handed” would be if the Legislature passed a Bill that outlawed public employees from joining a public sector labor union. He believes that this Bill will bring more employees to the bargaining table and allow for more voices to be heard by their employers. The sponsor said that nine states have similar laws regarding public sector labor unions. Some of those states have exemptions for first responders. This Bill does not.

The Committee Chair limited public comment to a total of 30 minutes, providing one minute per person. An attorney representing a number of public sector labor unions spoke in opposition to the Bill. She said that the Bill language is broader than how the sponsor presented it. In her opinion, it tells public employers that they can no longer “recognize a labor organization as a bargaining agent” so it goes well beyond impacting collective bargaining agreements. This Bill would prevent meet and confer negotiations to discuss things like safety equipment or policies regarding returning to work after telecommuting. This Bill prevents governmental entity management from efficiently receiving collective input. She believes this Bill interferes with a public employer’s right to establish their own workplace process, imposes on the concept of local control, and it tells the employees who choose to be members that having a collective voice in the workplace is no longer an option. She believes that, in practice, this Bill would create so many barriers for a union to be the collective voice for its members that it would cease to exist. A retired police chief spoke in opposition to the Bill stating that this is a safety issue for law enforcement. He spoke to the barriers this Bill puts in place between leadership and line officers. As executives within law enforcement agencies make policies and fiscal decisions, they need to hear from the Fraternal Order of Police (“FOP”) to gain insight into things such as the need for equipment and training. Rank and file officers may find it difficult to speak to leadership about their needs for fear that it could have a chilling effect on their career. Labor union representatives can speak openly and freely with those in higher positions. Union representatives from law enforcement and fire protection services spoke in opposition and clearly stated why it is so important to have strong public labor unions as they create a collective and efficient voice. Most of the comments were from members of public labor unions who spoke in opposition to the Bill. A representative from Americans for Prosperity, the Libertas Institute, and the Utah Taxpayers Association spoke in support of the Bill.

The sponsor acknowledged that this Bill does impact more than just collective bargaining. He said that while labor unions wouldn’t be allowed to bargain on behalf of their members, they could continue to talk and have discussions with public employers.

Yeas: 4
Nays: 3
N/V: 0

Outcome: 1st substitute HB 267 passed out of the Committee with a favorable recommendation.