

USHE Weekly Legislative Report
Second Week: February 2-6, 2009
Prepared by David Buhler
Associate Commissioner for Public Affairs
February 5, 2009

This is the second weekly report on the 2009 legislative session from the perspective of the System of Higher Education, for distribution to Regents, Presidents, and Trustees.

Progress was made in advancing Higher Education's agenda, with legislation advancing and advocacy efforts reaching more legislators with an expanded "sales force" of Regents, Trustees, and business leaders in addition to the Commissioner, Presidents, and their staffs.

Advocacy Efforts

A private group of business leaders, "Friends of Utah Higher Education," has been formed to advocate the importance of higher education to Utah's economic future. In addition to private meetings with key legislators, the group is helping to sponsor weekly meetings of the legislature's Higher Education Caucus. The Caucus is co-chaired by Senator Steve Urquhart, Senator Karen Morgan, Representative Kory Holdaway, and Representative Ronda Menlove.

With the sponsorship of Rocky Mountain Power, the annual Higher Education luncheon was held on Friday in the State Capitol Rotunda, providing an opportunity for Regents, Trustees, and Presidents to visit informally with legislators. The luncheon was well attended, including by both House Speaker David Clark and Senate President Michael Waddoups.

2009 and 2010 Budgets. On Monday the Legislature adopted the revised 2009 (current year) budget, cutting Higher Education an additional net 3.6% (added to the 4% cut in September). The full effect of the cut (11.3%) will be felt in the 2010 base budget. (More details were in last week's report.)

The Higher Education Appropriations met Monday, Wednesday, and Thursday, hearing presentations from several USHE institutions, the Utah Education Network, Utah Educational Savings Plan, and USTAR, and from state wide higher education programs. They will meet Monday, Wednesday and conclude their scheduled meetings this Thursday, February 12, in Room W 020, west of the Capitol Complex, from 2:00 to 5:00 p.m.

This is the lull before the storm. New revenue projections are expected as early as Thursday (February 12) or as late as Tuesday, February 17. Once the new estimates are adopted by the Executive Appropriations Committee, work will begin in earnest on the 2010 budget.

Key Legislation of Interest to USHE

- **HB 15, Career and Technical Education,*** sponsored by Rep. Ron Bigelow, is the compromise bill that resulted from the 2008 interim task force study of issues related to Career and Technical Education and UCAT. This bill will merge the existing SLTATC with Salt Lake Community College, and provides for a stand-alone ATC in Tooele County, among other changes. A sticking point had been the composition of the UCAT Board of Trustees, with Governor Huntsman expressing concern about the need for accountability to the Board of Regents and to the public. Ultimately, a compromise was struck in an amendment by Rep. Bigelow that changed one of the Governor's board appointments from being the Executive Director of the Department of Workforce Services to the Commissioner of Higher Education. (continued, next page)

The UCAT Trustees will appoint one of their members as a non-voting member of the Board of Regents, and the Board of Regents will appoint one Regent as a non-voting member of the UCAT Board. Regents will no longer serve on local UCAT Boards. The bill passed the House on Wednesday, 71-0. It will now be heard by the Senate Education Committee, possibly as early as this week.

- **HB 35S1, Higher Education Tax Credit and Contribution,*** sponsored by Rep. John Dougall, creates a tax credit for tuition and fees paid to one of the USHE institutions, and provides a mechanism to allow Utah taxpayers to send income tax refunds to their Utah Educational Savings Plan (UESP) account(s). The bill was approved by the House Revenue and Taxation Committee 11-4 on Monday. It will be considered by the full House this week, possibly as early as Monday.
- **HB 105, Dept. of Agriculture Amendments,** by Rep. John Mathis, allows the Department to make higher education student loans from their revolving loan fund. On Tuesday passed House Natural Resources Committee 13-0.
- **HB 207, Concurrent Enrollment Amendments,*** by Rep. Kory Holdaway, modifies the distribution of appropriations based on whether the instruction is by a university/college or by a high school. (This provision mirrors part of SB 81.) Waiting for a committee assignment and hearing.
- **HB 238, Exemption of University Housing from Eviction Laws,*** sponsored by Rep. Kory Holdaway, makes it easier for higher education institutions to manage their housing by amending the Forcible Entry and Detainer chapter of the Judicial Code. Was approved by the full House on Wednesday, January 28, 62-0. It was unexpectedly rejected by the Senate Education Committee on Friday, by a vote of 2-4.
- **SB 81, Concurrent Enrollment Amendments,*** sponsored by Sen. Margaret Dayton, was introduced this week. It makes several improvements to the program including making classes that are a high school graduation requirement ineligible for concurrent enrollment, and modifying how funds are distributed. Also creates an honors pilot program. Expected to be considered by the Senate Education Committee this week.
- **SB 100, Financial and Economic Literacy Education Amendments,*** sponsored by Sen. Pat Jones, requires public schools to provide parents of Kindergarten students information about the Utah Education Savings Plan (UESP) at the time of school registration. Approved by Senate on Thursday 26-0. Now goes to the House.
- **SB 104, Higher Education Scholarship Program Amendments,*** sponsored by Sen. Lyle Hillyard, makes technical changes to the Regents' and New Century Scholarship programs, and, effective with the high school class of 2011, changes the maximum award from 75% of tuition to \$5,000 for New Century and \$6,000 for Regents' Scholarship. Senate approved on Tuesday 28-0, and House Education Committee approved on Friday 11-0. Now goes to full House.
- **SB 105, Engineering and Computer Science Initiative Amendments,*** sponsored by Sen. Lyle Hillyard, changes the existing loan program for engineering and computer science students to a scholarship program. Approved by the Senate on Tuesday, 29-0, and by the House Education Committee on Friday 11-0. Now goes to full House.

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

For more information about specific bills, legislative membership, or committees, see the legislative website at <http://legislature.utah.gov>