

GENERAL SESSION

January 20, 2010

Program Topic: Legislators and Citizens

Presented by: WSLC Executive Board

**Speakers: Greg Bell – Lieutenant Governor of Utah
Mike Christensen – Office of Legislative Research and
General Counsel**

Lt. Gov. Bell said he has noticed a trend of citizens throughout the nation becoming more engaged in government at the state level. It may be a result of increasing frustration with the federal level but, whatever the reason, more state and local involvement is a good thing. However, although people can exercise more control in local government, we should be careful not to place unrealistic expectations on the system.

Government has “the power of compulsion,” (eminent domain, taxation, etc.) and is, at the end of the day, mainly an instrument of force. It’s powers, therefore, should be carefully limited. Using the example of a large truck routinely parked on a neighborhood street, and annoyed neighbors deciding to introduce new city regulations to force the owner to move it, the Lt. Gov. posed the question, “Ought we to use law as force simply because we can?”

Touching on the 4-day workweek, Lt. Gov. Bell said it’s a complex issue with both benefits and challenges for government workers. The complexity of government systems themselves can exert mounting

stress on families who increasingly need to rely on public services during the economic downturn.

What will this session bring? Budget issues will be more hotly debated. Although “Utah is the best managed state in the Union,” critical decisions will need to be made. We have an \$11 billion budget with a \$ 700 million (or 7%) shortfall. The Legislative Financial Analyst’s office predicts we are at the bottom of the recession.

The \$35 million in budget cuts proposed by the governor would include every state agency taking a 3% cut in the form of mandatory furloughs. The legislature wants to cut \$200 million more from the budget than the governor feels is appropriate. He believes the additional cuts would encroach too deeply into essential services.

The governor is also determined not to raise taxes, which he feels would essentially “take from the economy to fund government.” Both the executive and legislative branches must be willing to work together in good faith to affect a meaningful compromise.

Gov. Herbert is disposed to extending himself to this end.

Responding to questions, Lt. Gov. Bell said although the governor realizes the tobacco tax is seen by many as a “good” tax, he does not support it, or an additional food tax. Also, the Flat Tax contains variables and was not meant to be a tax “across the board.”

Mike Christensen introduced himself as a public policy analyst who has been serving as director of the non-partisan Office of Legislative Research and General Counsel for the past nine years. He and his staff of 55 will, among their other duties, draft over 1,100 bills by the end of the 2010 session. They also provide data for the legislature to use in formulating their decisions and for new legislators, in particular, to acquaint them with the inner workings of government.

Mr. Christensen made a power point presentation to introduce a book written in 2005 by both he and his staff. Although it will probably be updated in 2011, the book is still substantially current. *“Utah State*

Government: A Citizen’s Guide” is presently in all Utah state libraries and public schools. An informational DVD and teacher’s guide are also available to assist in its use.

The book contains 163 graphs, figures and tables, as well as a comprehensive study of 23 essential components necessary to an understanding of Utah State Government. These include: Historic, demographic and economic overviews, Utah law and administrative rules, the three branches of government, citizen participation and elections, education, legislative committees, and the relationship between local, state and federal government.

Responding to questions, Mr. Christensen disclosed that he divided his office staff into teams to address the monumental task of writing the citizen’s guide, with himself serving as Editor-in-Chief. He also said the “turn-around” time for a substitute bill ultimately depends on the size of the bill and/or the changes needed, but could be done as quickly as under an hour.

Reported by: Pam Grange

General Session II

Program Topic: Perspectives on the Upcoming 2010 Session

Presented by: WSLC Executive Board

**Speakers: LaVarr Webb – Owner of Utah Policy; Deseret News political opinion writer
Frank Pignanelli – Lobbyist; Deseret News political writer**

LaVarr Webb began by saluting the Women’s State Legislative Council for its involvement in the political process. There

are important things happening at the national and state level. He mentioned the resignation of the Senate Majority Leader

and the resulting change in Senate leadership.

The legislature faces a tough budget, with a major shortfall over the last two years and in the immediate future. There will be discussion of budget cuts or tax increases. The governor has stated his opposition to any tax increases, general or targeted. The legislative leadership opposes a general tax increase but has left the door open for targeted increases such as a tobacco tax increase. Many groups will be testifying before the legislature, and predicting serious consequences if cuts are made in their favored programs.

Healthcare reform is an important issue. Recent events that put the national healthcare bill in trouble provide an opportunity to make progress at the state level. Healthcare reform has been before the legislature for several years, and several proposals are being made this year to continue the process.

There will be continuing focus on education, which remains a major problem. Higher Education advocates say budgets have already been cut to the bone. This is a particular concern since Higher Education findings also indicate our younger generation is less well educated than the older generations.

Ethics reform will be a major issue this session. The citizen effort on ethics has the legislature concerned. One fear is that it will frighten people away from running for elective office. The House and Senate are expected to pass ethics reform, which Mr. Webb thinks will be meaningful. He also believes our legislators are ethical; but they will react to the perception that the current lack of tight regulations implies they are not.

The political year begins soon after the session closes. Party caucuses will take place right away, followed by county and state

conventions. Legislators will have to decide early whether they are going to seek re-election or retire. This will be an interesting and exciting political year.

Frank Pignanelli noted that his mother-in-law, Katie Dixon, was active in the WSLC and his mother, Pat Pignanelli, was also a member. Pat is now, at the tender age of 70, a member of the Holiday City Council. Frank had no choice but to manage her re-election campaign. The WSLC has become increasingly important as more people get the news from cable television, which often provides only one perspective or another. The WSLC tries to present both sides.

He also mentioned when he was a new member of the legislator and very obnoxious, it was our current President, Darlene Hutchison, who put her arm around him and said, "Okay, Frank, this is how things are done." He will always be grateful to Darlene for providing this parental supervision.

The recent special election in Massachusetts was "an earthquake" that will have an impact on national and state efforts regarding healthcare reform. The federal government will now have to adjust what it does with this issue. Before the election, it looked like what states wanted would be irrelevant. Now, states may be given more authority.

Controversy still exists over healthcare reform proposals, with a case in point being the Utah Health Exchange website (<http://exchange.utah.gov>) advocated by House Speaker Dave Clark. Most people get their health insurance through their employers and are not offered much choice. The Health Exchange has been attempting to get major companies to allow their employees to use the Exchange to select health insurance from several options offered by different insurers. Eventually, individuals will also be allowed to access the

Exchange, whereas they have traditionally used insurance brokers. Brokers now being the dominant power, and not likely to welcome being cut out of the system, it will be interesting to see how this plays out.

Mr. Pignanelli then spoke about the budget deficit. During the last year, federal stimulus money helped cover the deficit. This year, the rainy day fund is being used. Next year neither source will be available.

This is also an election year; but any talk of tax increases will be behind closed doors. One would think they (necessary increases) are important enough to be written into the Constitution, but the unwritten law is, “never pass a tax increase in an election year.”

The special election upset in Massachusetts “has everyone nervous.” It was a sign that voters are unhappy with incumbents, be they Democrats or Republicans. This will affect how elected officials go about their business. Incumbency may not be the automatic ticket to re-election it has been in the past.

Governor Herbert was in a position to be challenged for the nomination (from within his own party) in his re-election bid this year. But Mr. Pignanelli joked that he seems to have “taken care of the opposition.” Salt Lake County Mayor, Peter Corroon (D), who is challenging for the governorship, isn’t far behind in the polls. Mr. Pignanelli added, “Don’t think that both sides aren’t going to use the legislature as a platform to launch their candidacies. Politics may be played at this legislative session.”

The legislators are “scared to death” of the ethics issue. They realize they must come up with something to satisfy the public. Two-thirds of the public favor ethics reform. It will take something substantive to forestall the vote on the Ethics Initiative.

Finally, we have all heard about earmarks at the national level. Earmarks also occur in this state. In order to deal with the budget, earmarks at the state level must be addressed. Watch the struggle that takes place.

Reported by: Stuart Gygi

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