

Key issues still unresolved as Legislature hits stretch run

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ST. GEORGE – Medicaid plans, LGBT discrimination, gas taxes, medical marijuana – the Utah Legislature faces a slew of so-far-unresolved issues as it hits the stretch run of its annual session.

Only nine working days are left before lawmakers have to close up shop March 12, but debates continue to rage over the same contentious issues that seemed at the forefront when they first convened in January.

Some of the key issues still under consideration include:

Medicaid and Healthy Utah

Since last year, many lawmakers have been pointing to health care as the area that could have the largest impact this year.

When the state backed out of the proposed Medicaid expansion that came with President Barack Obama's Affordable Care Act two years ago, it left thousands of Utahns without good coverage options, especially for some 50,000 people left in a coverage gap – people who either don't qualify or make too much money for Medicaid, but make too little to qualify for the federal health subsidies offered through *healthcare.gov*.

After lawmakers were unable to find a solution in last year's session, Gov. Gary Herbert negotiated with the federal government in developing his Healthy Utah plan, which would use some of the money Utah residents pay in federal taxes to help low-income people enroll in private insurance plans.

After Healthy Utah made it through the state Senate last week, supporters hoped to see a similar result in the House, but Speaker Greg Hughes, a Republican from Draper, said he wouldn't bother bringing it to a vote there because it wouldn't have a chance at passing.

“If we’re not pursuing a bill for the purposes of considering it to become law, I don’t know what we’re here for,” Hughes told the Associated Press.

Some legislators say they are queasy about the lack of certainty in any cost estimates for Healthy Utah and fear the idea that the costs to the state would be higher two years after the plan goes into effect.

Lawmakers would have an option to back out of Healthy Utah after two years, but at that point, some argue their hands would be tied because of the political difficulties of cutting off thousands of people from services once they’ve already been receiving them.

Instead, House leaders say they’re working on their own plan, a scaled-down version that could cost less but cover fewer people. House Majority Leader Jim Dunnigan is expected to unveil the proposal as a bill sometime this week.

Herbert criticized House leadership for not taking up Healthy Utah, and said he would work toward giving his plan “a fair shot.”

“We’ll look at any and every opportunity we have to get to the right point,” he said. “Clearly we want to negotiate with our colleagues in the House and see if we can’t have common sense and wisdom prevail..”

Supporters of Herbert’s plan are planning a rally at the capitol for Thursday, arguing that the plan should at least receive a debate within the House.

“House leaders have repeatedly said that ‘doing nothing is not an option,’” said RyLee Curtis, Senior Policy Analyst at the Utah Health Policy Project. “The House has now been delivered a bill that has the strong support of business leaders, health care organizations and a majority of Utah voters. This unprecedented level of community support, gubernatorial support, and lack of any other viable options makes it unreasonable for the House to oppose consideration.”

A number of other key issues are still on the table heading into the Legislature’s final two weeks in session, including:

LGBT discrimination and religious freedom

Some headway was expected on the issue of members of Utah’s gay, lesbian, bisexual and transgender community facing discrimination when leading members of The Church of Jesus Christ of Latter-day Saints voiced support just two days into the session for a law to protect LGBT people from discrimination, as long as there were also protections for the rights of religious groups.

After more than a month of working behind the scenes to find a compromise, legislators were expected to unveil a proposal this week.

St. George Republican Sen. Steve Urquhart, who for the past two years sponsored a non-discrimination bill, said after the church's announcement that "a major stakeholder" had jumped in with an endorsement for the measure, although he predicted the hard work of negotiating the details would take time.

Medical marijuana

The Senate is set to debate a bill Monday that would allow chronically sick people to use edible medical marijuana products.

The bill would limit use to people with chronic diseases like cancer or AIDS, and not allow for any smoking of the product, and Sen. Mark Madsen, R-Saratoga Springs, the bill's sponsor, said his own experience with medical products in Colorado helped with his back pain.

During a debate in front of a Senate committee on Thursday, he argued that if lawmakers could look past the drug's reputation, it would show some compassion to people who might be helped with its use.

The committee voted 3-2 to approve the bill and send it to the full Senate, but only after two hours of debate and some objections from those concerned about the potential legal and moral dangers.

Gas tax

A bill to raise the state's gas tax by 10 cents to 34.5 cents per gallon is awaiting a vote in the Senate, and lawmakers in the House are working on a separate proposal to change the tax from a flat rate to a percentage that would adjust with changes in fuel prices.

The tax hasn't changed since 1997, and officials across the state have been expressing concerns about a potential shortfall if the state continues to grow as quickly as projected. A 30-year statewide transportation plan is projecting a \$11.3 billion shortfall if the gas tax and other revenues fail to keep up with a forecast \$54.7 billion in transportation needs.

Increasing construction and maintenance costs mean tax revenues don't stretch as far as they used to, and improving gas mileage from more efficient vehicles is actually complicating the issue, said Utah Rep. Don Ipson, R-St. George.

"I would think we could do something," Ipson said Tuesday. "It isn't sustainable the way it is."

Utah's tax is slightly higher than the 22.7 cent per gallon national average, but when additional fees and taxes are included, the national average is closer to 30 cents per gallon.

Distracted driving

The House passed legislation on Friday sponsored by Rep. Jake Anderegg, R-Lehi, that would allow drivers to have “one touch” on their cell phones while behind the wheel, a slight change to a law passed last year that barred drivers from manipulating their phones for most uses.

Urquhart, who sponsored a separate bill that would only allow hands-free use of cellphones and other devices, said last week he now plans to back away slightly from that measure to give Utahns more time to adjust to new technology and the idea of hands-free.

He said he would work with Anderegg and others on hands-free legislation that could come back to the Legislature in 2016 or 2017.

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