



March 2019



Dear Friends:

The 2019 Legislative Session has ended. Out of 1,338 bills requested, 574 bills passed and are awaiting Governor Herbert's signature. This was a productive year for bills and appropriation requests I sponsored, and for issues I was advocating and/or supporting. However, there were also many disturbing bills and issues (in my opinion) - some that passed and some which will have a definite impact on our future.



My Legislation and Appropriations Requests

Below is the status of the bills I ran this year. Again, you can track any bills on the [legislative website](#). Please note that after a bill passes both chambers, Governor Herbert can: sign the bill (most bills thereafter take effect on May 14, 2019); refrain from signing the bill (after 20 days, it becomes law); or veto the bill. Although rare, a veto can be overridden by the legislature with two-thirds vote in both chambers.

SB134 - Campus Safety Amendments (House Sponsor: Rep. Lowry Snow)

Passed through both chambers and awaiting Governor's signature

At the House committee hearing, Matt McCluskey testified that "[I]f this bill had been in place before, it would have reduced the chances my daughter would have been killed." He made a request to lawmakers, "Jill and I really only have one request, and it is a simple one.

Remember Lauren Jenifer McCluskey...Remember how she lived. Remember how she died. And through your actions, honor her memory."

[\[Salt Lake Tribune\]](#) [\[Deseret News\]](#) [\[ABC4\]](#) [\[Fox13\]](#) [\[Salt Lake Tribune\]](#) [\[KUER\]](#)



SB162 - Corrections Officer Certification Amendments

(House Sponsor: Rep. Jim Dunnigan)

Passed through both chambers and awaiting Governor's signature

This consensus bill allows an individual to be employed at 19 years old, with determined limitations, as a correctional officer in a jail (not prison) facility. An individual, at the age 18, can be a firefighter, an emergency medical technician, a member of the United States Armed Forces, a volunteer or civilian at the jail. This is a 3-year pilot program to provide evidence-based outcomes.

SCR 2 - Concurrent Resolution Recognizing Navajo Code Talkers

(House Sponsor: Rep. Christine Watkins)

Passed unanimously through both chambers and awaiting Governor's signature

[\[Salt Lake Tribune\]](#) [\[Deseret News\]](#) [\[KSL\]](#)



SJR 1 - Joint Resolution Supporting the Study of Water Banking in Utah

(House Sponsor: Rep. Stewart Barlow)

Passed unanimously through both chambers and awaiting Governor's signature

In its most simple form, a water bank facilitates the voluntary, temporary transfer of the use of water rights from one user to another. This tool is used to address increased water demand and other pressing needs, and may provide Utahns a flexible market means to more efficiently use water.

This resolution was to educate, and to support my companion appropriations request of \$400,000 one-time funds to leverage up to \$400,000 for a Water Smart Grant, and to prepare for future legislation and pilot programs (for instance, in the Provo River and Cache Valley area).

Appropriation Request fully funded

[[Fox 13](#)] [[Salt Lake Tribune](#)] [[Deseret News](#)]

SB 61 - Poll Hours for Early Voting (House Sponsor: Rep. Steve Eliason)

Passed unanimously through both chambers and awaiting Governor's signature

This bill removes the poll hour closing requirement on the last day of early voting, to allow clerks the flexibility to have early polling locations open after 5 pm, as is available on other early voting days. Having the 5 pm limitation only for the last day of early voting caused a great deal of confusion and frustration.

SB 62 - Campaign Finance Revisions

(House Sponsor: Rep. Brad Daw)

Passed unanimously through both chambers and awaiting Governor's signature

This bill amends laws related to campaign finance and financial disclosures of candidates and officeholders. It allows for more consistency and understandability. This bill was supported by Lt. Governor's Office, Utah Association of Counties and County Clerks (statewide).

SB 65 - Utah Noxious Weed Act Amendments (House Sponsor: Rep. Brad Daw)

Passed unanimously through both chambers and awaiting Governor's signature

This bill amends the Noxious Weed Act regarding membership on county weed control board.

SB 81 - Native American Remains Amendments (House Sponsor: Rep. Douglas Sagers)

Passed through both chambers and awaiting Governor's signature

This bill relates to the important process for the repatriation of Native American remains.

SB 101 - Navajo Code Talker Recognition (House Sponsor: Rep. Christine Watkins)

Passed unanimously through both chambers and awaiting Governor's signature

Appropriation Request for Signage Fully Funded

This bill recognizes Navajo Code Talker Day every year and names SR 162, SR 163, and SR 191 in San Juan County as Navajo Code Talker Highway.



SB 88 - Crime Victims Restitution Amendments (House Sponsor: Rep. Craig Hall)

Passed unanimously through both chambers and awaiting Governor's signature

This bill's amendments modify restitution criteria that a judge considers, including expenses for security measures put in place by a victim in response to a criminal offense.

SB 89 - Conflict Disclosure Amendments (House Sponsor: Rep. Brad Daw)

**Passed unanimously through both chambers and awaiting Governor's signature
Appropriation Request fully funded**

This bill amends provisions relating to disclosures of potential conflicts of interest by state elected officials by requiring the Lieutenant Governor to establish a website to house conflict of interest information. It provides for increased understanding, ease and transparency to candidates and the public.

Other Legislation I Sponsored in the Senate

HB175 - Transportation of Veterans to Memorials Support Special Group License Plate
(Sponsor: Rep. Carl Albrecht)

Passed unanimously through both chambers and awaiting Governor's signature (I sponsored Appropriation Request that was fully funded)

HB212 - Expungement Changes (Sponsor: Rep. Stewart Barlow)

Passed unanimously through both chambers and awaiting Governor's signature

HB360 - School Water Testing Requirements (Sponsor: Steve Handy)

This bill passed the Senate Government Operations and Political Subdivisions committee, however, not able to make it to the senate floor in time.

This is an important bill to test every public and private school for lead content and provides for remediation.

Important Bills to Note

SB 103 - Victim Targeting Penalty Enhancements ("Hate Crimes" bill)

This bill passed both chambers and is awaiting the Governor's signature. Hate crimes have increased across the Nation. This bill goes a long way to provide justice to victims and Utahns.

A hate crime is a prejudice-motivated crime - often violent and targets a victim because of his or her membership (or perceived membership) in a group. It's not a crime against just one person - it's against an entire community. It terrorizes an entire community, and impacts us all. It is a message crime where the perpetrator is sending a message to members of a certain group that they are despised, devalued, or unwelcome.

Penalty-enhancement hate crime laws are traditionally justified on the grounds that, in Chief Justice Rehnquist's words, "this conduct is thought to inflict greater individual and societal harm...bias-motivated crimes are more likely to provoke retaliatory crimes, inflict distinct emotional harms on their victims, and incite community unrest."

[HB 441 - Tax Equalization and Reduction Act](#)

Failed but will be addressed by this summer/fall. I am relieved that the legislature chose to slow down this process and take time to address our structural deficit in our state's budget with robust and inclusive public comment. I continue to have concerns about putting the tax back on food or lowering the income tax, which funds education, as well as an inability to know how this impacts everyday Utahns. However, it has been publicized that all options are on the table. There is a structural problem with our taxes, but I believe in tax fairness for every person.

[HB220 - Radioactive Waste Amendments](#)

This bill passed and went into law without Governor Herbert's signature. I am deeply concerned about this on many fronts. Please see [my prior newsletter](#) for more specifics on my opposition to this unique and dangerous radioactive waste.

[\[Deseret News\]](#) [\[Salt Lake Tribune\]](#) [\[KSL\]](#)

[HB320 - Container Regulation Act](#)

This bill failed after two separate attempts to un-circle the bill in the House! This bill prohibits a local government entity from regulating or imposing a fee on an auxiliary container, which is defined to include plastic bags. We need smart ways to address the real costs to our landfills and recycling plants, and to our environment and economy. I will continue efforts on this important issue that has been the subject of hundreds of laws across our Nation and around the world. I received more emails than ever supporting the reduction of retail bags and other plastics.

[\[Fox 13\]](#)

Our Caucus Team



Our amazing staff and interns



Looking Forward

Thank you for your involvement through calls, visits, and emails. We expect to be called into special session this summer/fall to address our structural imbalance relative to tax policy. Interim meetings should begin in May.

I have enjoyed being in leadership as Assistant Minority Whip. Although hectic, I have been fortunate to be able to delve into the budget process from the bottom up. In the Senate, majority and minority leadership met regularly and I appreciated the collaborative relationship in discussing policy and procedure.

As always, it is a privilege and honor to represent you in the legislature. You are at the heart of everything I try to accomplish on your behalf.

Warmly,

A handwritten signature in black ink, appearing to read 'Jani'.

As always, I appreciate your input. Your voice is critical. If you would like to volunteer, PLEASE contact me, I can be reached at jiwamoto@le.utah.gov (legislative matters), iwamoto.jani@gmail.com (personal matters), by mail to 4760 S. Highland Drive, #427, Salt Lake City, Utah 84117, or by phone at (801)580-8414. You can interact with me on my [Facebook!](#)

This newsletter is for legislative and related matters only.

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This Senate seat includes the following house districts: District 36 (Rep. Patrice Arent), District 37 (Rep. Carol Spackman Moss), District 40 (Rep. Stephanie Pitcher), District 46 (Rep. Marie Poulson) and District 28 (Rep. Brian King). To see who your Representative is [click here!](#)

Jani Iwamoto
Senate District 4

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