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2016 Utah Legislative Session - March 8

Insight — March 8, 2016

This is it! The final 72 hours of Utah's annual session are counting down. At midnight on Thursday, March 10th, I will be in the gallery watching “sine die” declared, meaning there is no future date designated for the Legislature to reconvene. These long, final three days are not for the weak of heart or stomach. As Otto von Bismarck is often quoted as saying, “Laws are like sausages, it is better not to see them being made.”

There are many pros and cons to having a short legislative session. Often people worry that an issue might not receive the thorough scrutiny warranted by weighty decisions when the session is only 45 days long. There are concerns about conflicts of interest because legislators work part-time with outside day jobs and other commitments. And, because a short session can't justify or sustain a large payroll to support full-time administrative staff, lobbyists play a significant role providing research, background information, and legislative drafting assistance.

But there are pros to a short session as well. There is nothing like a hard and fast deadline to help deadlocked parties find compromise - something Congress might want to note and replicate. As of my writing on Sunday evening, several issues remain deadlocked, including:

- Rocky Mountain Power and Vivint Solar are still warring over the future of our power grid and customer pricing
- The more limited medical marijuana bill is still in play
- It is unknown whether the State will take a bold step on the regulation of online sellers and the collection of sales tax
- The fate of a very limited Medicaid expansion hangs in the balance on funding
- A showdown over new limitations on the use of non-compete agreements is brewing

Dozens of smaller issues vital to certain industries or individual companies remain circled (circled means the bill is held in place, but available for debate at any time) on the boards of the House and Senate. I'm willing to bet that the parties involved in the majority of these issues find new faith in negotiation and compromise with the deadline looming. No one wants to wait another whole year to try again. The old adage that half a loaf is better than none is the mantra of legislators and lobbyist in the waning hours of the session.

This will be my last 'Dispatch from the Capitol.' If you are interested in learning how any of the outstanding issues I mention above or a certain bill finish at midnight on Thursday, please let me know, or feel free to attend

the Legislative Wrap Up we are providing to firm clients on Wednesday, March 23, 2016 at 8:00 am. Amanda Smith and Steve Young will join me to discuss a wide variety of issues and what it all means for businesses in Utah.

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