STATE OF UTAH

SENATE JOURNAL

SECOND EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, June 15, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Second Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Second Extraordinary Session convening on Wednesday, June 15, 2005, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Sandy D. Tenney
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

SECOND EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Second Extraordinary Session at 12:00 noon on Wednesday, June 15, 2005.

The Senate was called to order at 12:25 p.m. with President Valentine presiding.

Prayer − Senator Chris Buttars

Pledge − Senator Bill Hickman

Annette B. Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Second Extraordinary Session at the Senate Chambers, State Capitol Complex, in Salt Lake City, Utah, on the 15th day of June, 2005 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 1st day of June, 2005.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of June 1, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Second Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 15th day of June, 2005, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the First Extraordinary Session of 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 13th day of June, 2005.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Evans, Arent, Dmitrich, Mansell, and Eastman excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Second Extraordinary Session.

President Valentine appointed a committee comprised of Senators Dave Thomas, Michael Waddoups, and Fred Fife to notify the Governor's representative that the Senate is convened in the Second Extraordinary Session in accordance with his proclamation.

Senator Thomas advised the Senate that the Governor's representative has been notified of the convening of the Second Extraordinary Session.

Sandy D. Tenney read the following communication:

COMMUNICATION FROM THE GOVERNOR

Mr. President: May 31, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

School and Institutional Trust Lands Board of Trustees:

Ross Matthews is appointed to replace John W. Creer as a member of the School and Institutional Trust Lands Board of Trustees, a term to expire July 1, 2009. See Utah Code Ann. 53C−1−202.

State Tax Commission:

Pam Hendrickson is reappointed as a member of the State Tax Commission, a term to expire June 30, 2009. See Utah Code Ann. 59−1−201. Ms. Hendrickson is a Republican.

Utah Arts Council Board of Directors:

Scott Anderson is appointed to replace Jerry Holyoak as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Lyman Hafen is appointed to replace Hector Ahumada as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Pilar Pobil is appointed to replace Lee Bennion as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Cordell Taylor is appointed to replace Laura Lee Bradshaw as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Shirley Ririe is appointed to replace Mary Ann Lee as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Anne Watson is appointed to replace Fred Esplin as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Newell Dayley is reappointed as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2009. See Utah Code Ann. 9−6−204.

Utah Comprehensive Health Insurance Pool Board of Directors:

Matt Minkevitch is appointed to replace Jake Boyer as a member of the Utah Comprehensive Health Insurance Pool Board of Directors, a term to expire June 30, 2009. See Utah Code Ann. 31A−29−104.

Doug Hasbrouck is appointed to replace Kenneth Buchi as a member of the Utah Comprehensive Health Insurance Pool Board of Directors, a term to expire June 30, 2009. See Utah Code Ann. 31A−29−104.

Michael Bahr is reappointed as a member of the Utah Comprehensive Health Insurance Pool Board of Directors, a term to expire June 30, 2009. See Utah Code Ann. 31A−29−104.

Robert Perry is reappointed as a member of the Utah Comprehensive Health Insurance Pool Board of Directors, a term to expire June 30, 2009. See Utah Code Ann. 31A−29−104.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Senator Hillyard moved to consent to the appointments as read by Sandy D. Tenney. Senator Bramble commented. The motion passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Fife	Goodfellow	Hale
Hatch	Hickman	Hillyard	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Arent	Dmitrich	Eastman	Evans
Hellewell	Jenkins	Mansell	

* * *

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Thomas reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, former Senator Ron Allen spoke in Committee of the Whole. Senators Bramble, Walker, Davis, and Goodfellow commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

On motion of Senator Knudson, and at 12:50 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

THIRD EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, July 20, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Third Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Third Extraordinary Session convening on Wednesday, July 20, 2005, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Sandy D. Tenney
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

THIRD EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Third Extraordinary Session at 12:00 noon on Wednesday, July 20, 2005.

The Senate was called to order at 12:25 p.m. with President Valentine presiding.

Prayer − Senator Sheldon Killpack

Pledge − Senator Parley Hellewell

Annette B. Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into an Third Extraordinary Session at the Senate Chambers, State Capitol Complex, in Salt Lake City, Utah, on the 20th day of July, 2005 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 5th day of July, 2005.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of July 5, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Third Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 20th day of July, 2005, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the Second Extraordinary Session of 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 5th day of July, 2005.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senator Christensen, excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Third Extraordinary Session.

President Valentine appointed a committee comprised of Senators Scott Jenkins, Chris Buttars and Gene Davis to notify the Governor's representative that the Senate is convened in the Second Extraordinary Session in accordance with his proclamation.

Senator Jenkins advised the Senate that the Governor's representative has been notified of the convening of the Third Extraordinary Session.

Sandy D. Tenney read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: June 14, 2005

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

UTAH COURT OF APPEALS

Carolyn Baldwin McHugh is appointed as a Judge of the Utah Court of Appeals. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

CONFERENCE COMMITTEE REPORT

Mr. President: July 20, 2005

The Senate Judicial Confirmation Committee met on July 1, 2005, and unanimously reports a favorable recommendation for Ms. Carolyn Baldwin McHugh to be confirmed to the position of Judge in the Utah Court of Appeals.

D. Chris Buttars, Chair

On motion of Senator Hillyard, the Senate voted to approve the committee report on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Christensen	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Judge Carolyn Baldwin McHugh spoke in Committee of the Whole. Senators Buttars, Bell, Evans, and Arent commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

Mr. President: July 5, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Alcoholic Beverage Control Commission:

Mary Ann Mantes is reappointed as a member of the Alcoholic Beverage Control Commission, a term to expire July 1, 2009. See Utah Code Ann. 32A−1−106. Ms. Mantes i s a Democrat.

Kathryn O. Balmforth is appointed to replace Ted Lewis as a member of the Alcoholic Beverage Control Commission, a term to expire July 1, 2009. See Utah Code Ann. 32A−1−106. Ms. Balmforth is a Republican.

Real Estate Commission:

Doyle C. (Sam) Samson is appointed to replace Gage Froerer as a member of the Real Estate Commission, a term to expire June 30, 2009. See Utah Code Ann. 61−2−5.5.

Transportation Commission:

Bevan Wilson is reappointed as a member of the Transportation Commission, a term to expire April 1, 2011. See Utah Code Ann. 72−1−301. Mr. Wilson is a Democrat.

Kent Millington is appointed to replace Hal Clyde as a member of the Transportation Commission, a term to expire April 1, 2011. See Utah Code Ann. 72−1−301. Mr. Millington is a Democrat.

Utah Comprehensive Health Insurance Pool Board of Directors:

Elizabeth Hunter is reappointed as a member of the Utah Comprehensive Health Insurance Pool Board of Directors, a term to expire June 30, 2009. See Utah Code Ann. 31A−29−104.

Utah State Retirement Board:

Phillip W. Clinger is reappointed as a member of the Utah State Retirement Board, a term to expire July 1, 2009. See Utah Code Ann. 49−11−202.

Kathy Jones−Price is reappointed as a member of the Utah State Retirement Board, a term to expire July 1, 2009. See Utah Code Ann. 49−11−202.

John Lunt is reappointed as a member of the Utah State Retirement Board, a term to expire July 1, 2009. See Utah Code Ann. 49−11−202.

State Board of Regents:

James S. Jardine is reappointed as a member of the State Board of Regents, a term to expire June 30, 2011. See Utah Code Ann. 53B−1−104. Mr. Jardine is a Republican.

Jerry C. Atkin is reappointed as a member of the State Board of Regents, a term to expire June 30, 2011. See Utah Code Ann. 53B−1−104. Mr. Atkin is a Republican.

Michael Jensen is reappointed as a member of the State Board of Regents, a term to expire June 30, 2011. See Utah Code Ann. 53B−1−104. Mr. Jensen is a Democrat.

Josh Reid is appointed to replace George Mantes as a member of the State Board of Regents, a term to expire June 30, 2011. See Utah Code Ann. 53B−1−104. Mr. Reid is a Democrat.

Rosinita Cespedes is appointed to replace Maria Sweeten as a member of the State Board of Regents, a term to expire June 30, 2011. See Utah Code Ann. 53B−1−104. Ms. Cespedes is an Independent.

Gabriela Bradford is appointed to replace Trenton Kemp as a member of the State Board of Regents, a term to expire June 30, 2006. See Utah Code Ann. 53B−1−104.

Dixie State College Board of Trustees:

D. Williams Ronnow is reappointed as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Vicki Wilson is reappointed as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Reuben Joseph (R.J.) Snow is appointed to replace Robert Moore as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Steven G. Caplin is appointed to replace Royce Jones as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Salt Lake Community College Board of Trustees:

Peter R. Genereaux is reappointed as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Gail Miller is reappointed as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Jesselie Barlow Anderson is reappointed as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

David G. Thomas is reappointed as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Snow College Board of Trustees:

Timothy M. Blackham is reappointed as a member of the Snow College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Eddie L. Cox is appointed to replace Kay Greene as a member of the Snow College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Theressa L. Alder is appointed to replace Gwen McGarry as a member of the Snow College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Mary Greathouse is appointed to replace Scott Wyatt as a member of the Snow College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Southern Utah University Board of Trustees:

David H. Jeppson is reappointed as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Dane O. Leavitt is reappointed as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Renn Zaphiropoulos is appointed to replace John Yardley as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Gayle L. Pollock is appointed to replace Jeff Wright as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah State University Board of Trustees:

Lynnette Thorne Hansen is reappointed as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Robert Lynn Foley is appointed to replace Linda Eyre as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Douglas D. Anderson is appointed to replace Gayle F. McKeachnie as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104 .

Douglas S. Foxley is appointed to replace Dinesh Patel as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Weber State University Board of Trustees:

Catherine Ortega is reappointed as a member of the Weber State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Kathryn Lindquist is appointed to replace Jane Brewer as a member of the Weber State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Jerry Stevenson is appointed to replace Dan James as a member of the Weber State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Jim C. Beardall is appointed to replace Jewel Kenley as a member of the Weber State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Mr. President: July 11, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Board of Tourism Development:

Steve Lindburg is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Mr. Lindburg is an Independent.

Hans Fuegi is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Mr. Fuegi is an Independent.

Bob Bonar is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Mr. Bonar is an Independent.

Frank Jones is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Mr. Jones is a Republican.

Steve Burr is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Mr. Burr is an Independent.

Camille Cain is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Ms. Cain is a Republican.

Shelleice Stokes is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Ms. Stokes is an Independent.

Jeff Robbins is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Mr. Robbins is a Republican.

Georgianna Knudsen is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Ms. Knudsen is a Republican.

Collin Fryer is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Mr. Fryer is an Independent.

Bob Syrett is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Mr. Syrett is an Independent.

Mona Given is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2007. See Utah Code Ann. 63−38f−1407. Ms. Given is a Republican.

Kim McClelland is appointed as a member of the Board of Tourism Development, a term to expire July 1, 2009. See Utah Code Ann. 63−38f−1407. Mr. McClelland is a Democrat.

Board of Parks and Recreation:

Scott Parson is reappointed as a member of the Board of Parks and Recreation, a term to expire July 1, 2009. See Utah Code Ann. 63−11−14. Mr. Parker is a Republican.

Joe Hull is appointed to replace Joe Judd as a member of the Board of Parks and Recreation, a term to expire July 1, 2009. See Utah Code Ann. 63−11−14. Mr. Hull is a Democrat.

Glenn Greenhaulgh is appointed to replace Norm Nielsen as a member of the Board of Parks and Recreation, a term to expire July 1, 2009. See Utah Code Ann. 63−11−14. Mr. Greenhaulgh is a Republican.

Lois Bulloch is appointed to replace Scott Truman as a member of the Board of Parks and Recreation, a term to expire July 1, 2009. See Utah Code Ann. 63−11−14. Ms. Bulloch is a Republican.

Eli Anderson is appointed to replace Jeff Packer as a member of the Board of Parks and Recreation, a term to expire July 1, 2009. See Utah Code Ann. 63−11−14. Mr. Anderson is a Democrat.

University of Utah Board of Trustees:

C. Hope Eccles is reappointed as a member of the University of Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Timothy B. Anderson is appointed to replace Gary Crocker as a member of the University of Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Lorena Riffo−Jenson is appointed to replace Gloria Wilkinson as a member of the University of Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Scott Parker is appointed to replace Amy Hansen as a member of the University of Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah Valley State College Board of Trustees:

Timothy R. Clark is appointed to replace John H. Zenger as a member of the Utah Valley State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Karen L. Acerson is appointed to replace Jonathan Coon as a member of the Utah Valley State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Doyle Mortimer is appointed to replace Melanie Bastian as a member of the Utah Valley State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Carolyn Merrill is appointed to replace David Bradford as a member of the Utah Valley State College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate leadership, pursuant to Section 67−1−2 of the Utah Code, voted to waive the 15−day requirement on the submittal dated July 11, 2005, for purposes of acting on gubernatorial nominees.

Senator Hillyard moved to consent to the appointments as read by Sandy D. Tenney. The motion passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Christensen	Hatch	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Goodfellow, Dr. Cynthia A. Bioteau, President of Salt Lake Community College spoke in Committee of the Whole.

On motion of Senator Goodfellow, the Committee of the Whole was dissolved.

* * *

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Jenkins reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 1:15 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

FOURTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, August 24, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fourth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fourth Extraordinary Session convening on Wednesday, August 24, 2005, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Sandy D. Tenney
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

FOURTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Fourth Extraordinary Session at 4:00 p.m. on Wednesday, August 24, 2005.

The Senate was called to order at 4:15 p.m. with President Valentine presiding.

Prayer − Senator Darin Peterson

Pledge − Senator Ed Mayne

Sandy Tenney, Manager of Senate Services, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into an Fourth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 24th day of August, 2005 at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 11th day of August, 2005.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of August 11, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Fourth Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 24th day of August, 2005, at 4:00 p.m., for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the Third Extraordinary Session of 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 11th day of August, 2005.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Mansell and Hillyard, excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Fourth Extraordinary Session.

President Valentine appointed a committee comprised of Senators Greg Bell, Tom Hatch, and Scott McCoy to notify the Governor's representative that the Senate is convened in the Fourth Extraordinary Session in accordance with his proclamation.

Senator Bell advised the Senate that the Governor's representative has been notified of the convening of the Fourth Extraordinary Session.

Sandy D. Tenney read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: July 5, 2005

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

SECOND DISTRICT JUVENILE COURT

Paul F. Iwasaki is appointed as a Judge of the Second District Juvenile Court. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

CONFERENCE COMMITTEE REPORT

Mr. President: July 27, 2005

The Senate Judicial Confirmation Committee met on July 26, 2005, and reports a favorable recommendation for Mr. Paul F. Iwasaki to be confirmed to the position of Judge in the Second District Juvenile Court.

D. Chris Buttars, Chair

Senators Buttars, Thomas, and Bell commented.

On motion of Senator Buttars, the Senate voted to approve the committee report on the following roll call:

Yeas, 22; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Christensen	Jenkins	Stephenson	Thomas

Absent or not voting were: Senators

Davis	Hillyard	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Judge Paul F. Iwasaki spoke in Committee of the Whole.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE GOVERNOR

Mr. President: August 8, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Department of Commerce:

Francine Giani is appointed as Executive Director of the Department of Commerce. See Utah Code Ann. 13−1−3.

Permanent Community Impact Fund Board:

Drew Sitterud is appointed to replace Michael S. Milovich as a member of the Permanent Community Impact Fund Board, a term to expire March1, 2007. See Utah Code Ann. 9−4−304.

Jim Abegglen is appointed as a member of the Permanent Community Impact Fund Board, a term to expire March1, 2006. See Utah Code Ann. 9−4−304 . Mr. Abegglen will represent Uintah County on the Board, per recent legislative changes to the Board's composition.

Michael S. Milovich is appointed as a member of the Permanent Community Impact Fund Board, a term to expire March 1, 2009. See Utah Code Ann. 9−4−304. Mr. Milovich will represent Carbon County on the Board, per recent legislative changes to the Board's composition.

Wildlife Board:

Keele Johnson is appointed to replace Max Morgan as a member of the Wildlife Board, a term to expire August 15, 2011. See Utah Code Ann. 23−14−2.

Rick Woodard is appointed to replace Brenda Freeman as a member of the Wildlife Board, a term to expire August 15, 2011. See Utah Code Ann. 23−14−2.

Utah Commission on Uniform State Laws:

Lyle Hillyard is reappointed as a member of the Utah Commission on Uniform State Laws, a term to expire July 1, 2009. See Utah Code Ann. 68−4−5.

Reed Martineau is reappointed as a member of the Utah Commission on Uniform State Laws, a term to expire July 1, 2009. See Utah Code Ann. 68−4−5.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Senator Knudson moved to consent to the appointments as read by Sandy D. Tenney. The motion passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Davis	Hillyard	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Francine Giani, Executive Director of the Department of Commerce, spoke in Committee of the Whole.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Bell reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 4:40 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

FIFTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, September 21, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fifth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fifth Extraordinary Session convening on Wednesday, September 21, 2005, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

FIFTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Fifth Extraordinary Session at 12:00 noon on Wednesday, September 21, 2005.

The Senate was called to order at 12:15 p.m. with President Pro Tem Peter Knudson presiding.

Prayer − Senator Howard Stephenson

Pledge − Senator Mark Madsen

Leslie McLean, Manager of Senate Services, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into an Fifth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 21st day of September, 2005 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 6th day of September, 2005.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of September 11, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Fifth Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 21st day of September, 2005, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the Fourth Extraordinary Session of 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 6th day of September, 2005.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Mansell, McCoy, and President Valentine, excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Fifth Extraordinary Session.

President Pro Tem Knudson appointed a committee comprised of Senators Darin Peterson, Allen Christensen, and Karen Hale to notify the Governor's representative that the Senate is convened in the Fifth Extraordinary Session in accordance with his proclamation.

Senator Peterson advised the Senate that the Governor's representative has been notified of the convening of the Fifth Extraordinary Session.

Leslie McLean read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: August 24, 2005

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

SIXTH DISTRICT COURT

Wallace A. Lee is appointed as a Judge of the Sixth District Court. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

CONFERENCE COMMITTEE REPORT

Mr. President: September 21, 2005

The Senate Judicial Confirmation Committee met on September 19, 2005, and unanimously reports a favorable recommendation for Mr. Wallace A. Lee to be confirmed to the position of District Court Judge in the Sixth Judicial District.

D. Chris Buttars, Chair

Senators Buttars and Hatch commented.

On motion of Senator Eastman, the Senate voted to approve the committee report on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Mansell	McCoy	Valentine

COMMITTEE OF THE WHOLE

On motion of Senator Buttars, Judge Wallace A. Lee spoke in Committee of the Whole.

On motion of Senator Eastman, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE GOVERNOR

Mr. President: September 6, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Board of Pardons and Parole:

Keith Hamilton is appointed to replace Michael Sibbett as a member of the Board of Pardons and Parole, a term to expire February 28, 2010. See Utah Code Ann. 77−27−2.

Digital Health Service Commission:

Rod E. Ross is reappointed as a member of the Digital Health Service Commission, a term to expire October 10, 2008. See Utah Code Ann. 26−9f−103.

Matthew T. Weed is reappointed as a member of the Digital Health Service Commission, a term to expire October 10, 2008. See Utah Code Ann. 26−9f−103.

Mark Munger is appointed to replace David Goddard as a member of the Digital Health Service Commission, a term to expire October 1, 2008. See Utah Code Ann. 26−9f−103.

Bradley LeBaron is appointed to replace Ruthann Jarvis as a member of the Digital Health Service Commission, a term to expire October 1, 2008. See Utah Code Ann. 26−9f−103.

Scott Barlow is appointed to replace David Kane as a member of the Digital Health Service Commission, a term to expire October 1, 2007. See Utah Code Ann. 26−9f−103.

Youth Parole Authority:

Consuelo Alires−Donaghue is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Calvin Clegg is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Kathy Peterson is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Deween Durrant is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Alvin Emery is appointed to replace Joel Millard as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Jennifer Yim is appointed to replace Sal Jansson as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Jean Boyack is appointed to replace Jennifer Yim as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−109.

Rodney Fakatou is appointed to replace Alvin Emery as a member of the Youth Parole Authority, a term to expire April 1, 2007. See Utah Code Ann. 62A−7−109.

Utah Housing Corporation Board of Trustees:

Debbie Andersen is reappointed as a member Utah Housing Corporation Board of Trustees, a term to expire June 1, 2009. See Utah Code Ann. 9−4−904. Ms. Andersen is a Republican.

Leona Hawks is reappointed as a member Utah Housing Corporation Board of Trustees, a term to expire June 1, 2009. See Utah Code Ann. 9−4−904. Ms. Hawks is a Democrat.

Bruce Tucker is appointed to replace Lynn Snow as a member Utah Housing Corporation Board of Trustees, a term to expire June 1, 2009. See Utah Code Ann. 9−4−904. Mr. Tucker is a Republican.

Air Quality Board

Scott Lawson is appointed to replace Marcelle Shoop, a term to expire March 1, 2007. See Utah Code Ann. 19−2−103. Mr. Lawson is a Republican.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Senators Buttars and Walker commented.

Senator Hillyard moved to consent to the appointments as read by Leslie McLean. The motion passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Mansell	McCoy	Valentine

COMMITTEE OF THE WHOLE

On motion of Senator Stephenson, Ray Allen, State Representative from Texas and Chair of ALEC's Law Enforcement Committee, spoke in Committee of the Whole.

On motion of Senator Eastman, the Committee of the Whole was dissolved.

* * *

President Pro Tem Knudson directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Peterson reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Eastman, and at 12:55 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

SIXTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, October 19, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Sixth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Sixth Extraordinary Session convening on Wednesday, October 19, 2005, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

SIXTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Sixth Extraordinary Session at 12:00 noon on Wednesday, October 19, 2005.

The Senate was called to order at 12:15 p.m. with President John Valentine presiding.

Prayer − Senator Lyle Hillyard

Pledge − Senator Scott Jenkins

Annette Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Sixth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 19th day of October, 2005 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 14th day of October, 2005.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of October 14, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Sixth Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 19th day of October, 2005, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the Fifth Extraordinary Session of 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 18th day of October, 2005.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Sixth Extraordinary Session.

President Valentine appointed a committee comprised of Senators Curtis Bramble, Parley Hellewell, and Ed Mayne to notify the Governor's representative that the Senate is convened in the Sixth Extraordinary Session in accordance with his proclamation.

Senator Bramble advised the Senate that the Governor's representative has been notified of the convening of the Sixth Extraordinary Session.

Leslie McLean read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: September 14, 2005

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

FIFTH DISTRICT COURT

John J. Walton is appointed as a Judge of the Fifth District Court. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

CONFERENCE COMMITTEE REPORT

Mr. President: October 19, 2005

The Senate Judicial Confirmation Committee met on September 19, 2005, and unanimously reports a favorable recommendation for Mr. John J. Walton to be confirmed to the position of District Court Judge in the Fifth Judicial District.

D. Chris Buttars, Chair

Senators Buttars and Hillyard commented.

On motion of Senator Buttars, the Senate voted to approve the committee report on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Judge John J. Walton spoke in Committee of the Whole. Senator Hickman commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Bramble reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 12:35 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

SECOND SPECIAL SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on Wednesday, November 9, 2005

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Second Special Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Second Special Session convening on Wednesday, November 9, 2005, and adjourning sine die the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

SENATE JOURNAL

SECOND SPECIAL SESSION of the FIFTY−SIXTH LEGISLATURE

November 9, 2005

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber of the State Capitol Complex in a Special Session at 5:00 p.m. on Wednesday, November 9, 2005.

The Senate was called to order at 5:20 p.m., with President John Valentine presiding.

Prayer − Senator Peter Knudson
Pledge of Allegiance − Senator Karen Hale
Roll Call − All Senators present except Senators Killpack and Mansell, excused.

* * *

Annette B. Moore read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the adjournment of the 2005 General Session of the Fifty−Sixth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into a Special Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty−Sixth Legislature of the State of Utah into a Second Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 9th day of November, 2005, at 5:00 p.m. for the following purposes:

1. To consider a concurrent resolution approving, pursuant to Utah Code Ann. 63−38b−303, a proposed settlement

agreement involving the construction of the Legacy Parkway; and

2. To consider legislation giving the Utah Department of Transportation authority necessary to implement the proposed settlement agreement involving the construction of the Legacy Parkway.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah this 1st day of November, 2005.
Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a proclamation issued on the 7th day of November, 2005, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Fifty−Sixth Legislature of the State of Utah into the Second Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 9th day of November, 2005, at 5:00 p.m., for the purposes named in the Proclamation, held in conjunction with the Seventh Extraordinary Session of the State Senate.

I FURTHER TESTIFY THAT the membership of the Utah State Senate has not changed from that of the Certification of the First Special Session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah at Salt Lake City, this 7th day of November, 2005.
Gary R. Herbert
Lieutenant Governor

* * *

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2005 General Session of the Fifty−Sixth Legislature as the rules for the Second Special Session.

President Valentine appointed a committee comprised of Senators Howard Stephenson, Dan Eastman, and Patrice Arent to notify Governor Jon M. Huntsman, Jr. that the Senate is convened in the Second Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Valentine appointed a committee comprised of Senators Darin Peterson, Bill Hickman, and Brent Goodfellow to notify the House of Representatives that the Senate is organized and ready to do business.

Senator Peterson reported that the House has been notified.

Senator Stephenson reported that the Governor has been notified.

On motion of Senator Waddoups, and as provided by the Utah State Constitution and the Joint Rules of the Legislature, the Senate voted to suspend the reading of the titles of bills and resolutions on the Senate calendar as they are read for the first time and introduced and considered on Second Reading, Third Reading, and Consent Calendars. This suspension applies to all bills and resolutions introduced during this special legislative session, except that any senator may request the reading of the long title, short title, or both of any House of Senate bill or resolution.

INTRODUCTION OF BILLS

S.B. 2001, **Limitation of Trucks on Legacy Parkway** (D. Eastman), read the first time by short title.

* * *

On motion of Senator Knudson, the Senate voted to place **S.B. 2001** on the Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Eastman, under suspension of the rules, **S.B. 2001**, LIMITATION OF TRUCKS ON LEGACY PARKWAY, was considered read the second and third times. Senator Eastman explained the bill. Senator Hillyard commented. The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Mayne	McCoy
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators
Madsen Peterson

Absent or not voting were: Senators
Killpack Mansell

S.B. 2001 was transmitted to the House.

On motion of Senator Eastman, under suspension of the rules, all bills considered today will be considered read for the second and third times upon final passage.

COMMUNICATIONS FROM THE GOVERNOR

PROCLAMATION

WHEREAS, since the close of the 2005 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Seventh Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 9th day of November, 2005 at 5:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2005 General Session of the 56th Legislature of the State of Utah.

The Seventh Extraordinary Session shall take place as part of, and occur in conjunction with, the Second Special Session called by the Proclamation dated

November 1, 2005. This document supersedes and replaces the Proclamation dated October 26, 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 7th day of November, 2005.

Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

ADVISE AND CONSENT

Mr. President: October 25, 2005

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Board of Child and Family Services:

Gerald J. Blackburn is appointed to replace Vicki Cottrell as a member of the Board of Child and Family Services, a term to expire July 1, 2008. See Utah Code Ann. 62A−4a−102. Mr. Blackburn is a Republican.

Sterling Ray Church is appointed to replace Bridgette Borsch as a member of the Board of Child and Family Services, a term to expire July 1, 2008. See Utah Code Ann. 62A−4a−102. Mr. Church is a Republican.

Private Activity Bond Review Board:

Art Hunter is reappointed as a member of the Private Activity Bond Review Board, a term to expire March 3, 2009. See Utah Code Ann. 9−4−503.

Lee Gardner is appointed to replace Linda Lunceford as a member of the Private Activity Bond Review Board, a term to expire March 3, 2009. See Utah Code Ann. 9−4−503.

Tom Hardy is appointed to replace Harley Hales as a member of the Private Activity Bond Review Board, a term to expire March 15, 2007. See Utah Code Ann. 9−4−503.

Health Facility Committee:

Jill Andrews is reappointed to the Health Facility Committee, a term to expire July 1, 2008. See Utah Code Ann. 26−1−7 and 26−21−3. Ms. Andrews is not affiliated with a political party.

Keith Tintle is reappointed to the Health Facility Committee, a term to expire July 1, 2008. See Utah Code Ann. 26−1−7 and 26−21−3. Mr. Tintle is a Republican.

Mary Peterson is reappointed to the Health Facility Committee, a term to expire July 1, 2008. See Utah Code Ann. 26−1−7 and 26−21−3. Ms. Peterson is a Democrat.

Galen K. Ewer is reappointed to the Health Facility Committee, a term to expire July 1, 2008. See Utah Code Ann. 26−1−7 and 26−21−3. Galen is a Republican.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Hillyard, the Senate voted to consent to the governor's appointments as listed on his communication dated October 25, 2005, as read by Leslie McLean. The motion passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Killpack	Mansell

* * *

On motion of Senator Knudson, and at 5:50 p.m., the Senate recessed.

The Senate was called to order at 6:20 p.m., with President Valentine presiding.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Carole E. Peterson, Chief Clerk of the House of Representatives, spoke in Committee of the Whole. Senators Knudson, Hickman, Dmitrich, Hatch, Arent, Goodfellow, Evans, Hillyard, Davis, Stephenson, Waddoups, Peterson, Fife, Mayne and Valentine commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

On motion of Senator Knudson, and at 6:45 p.m., the Senate recessed.

The Senate was called to order at 8:00 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: November 9, 2005

The House passed **H.C.R. 201**, RESOLUTION APPROVING LEGACY PARKWAY SETTLEMENT AGREEMENT, by Representative J. S. Adams, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.C.R. 201** was read the first time.

On motion of Senator Waddoups **H.C.R. 201** was placed on the Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Waddoups, under suspension of the rules, **H.C.R. 201**, RESOLUTION APPROVING LEGACY PARKWAY SETTLEMENT AGREEMENT, was considered read the second and third times. Senator Waddoups explained the bill. Senators Hillyard, Hickman, Peterson, Hatch, Madsen, Thomas, Mayne, Knudson, Dmitrich, Christensen, Jenkins, Hellewell, and Fife commented. The bill passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hellewell	Jenkins	Knudson	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Hatch	Hickman	Hillyard	Madsen
Peterson			

Absent or not voting were: Senators

Killpack	Mansell

H.C.R. 201 was signed by the President of the Senate in open session and returned to the House for signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: November 9, 2005

The House passed, **S.B. 2001**, LIMITATION OF TRUCKS ON LEGACY PARKWAY, by Senator D. Eastman, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. 2001 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

President Valentine appointed Senators Howard Stephenson, Dan Eastman, and Patrice Arent to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Valentine appointed Senators Darin Peterson, Bill Hickman, and Brent Goodfellow to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Peterson reported the House has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Stephenson reported that his committee had notified the Governor. The Governor asked that the committee convey to the Senate that he has no further business to bring before the legislature.

On motion of Senator Knudson and at 9:00 p.m., the Senate adjourned sine die.

PAGE
INDEX

SENATE AND HOUSE BILLS AND RESOLUTIONS

FIFTY−SIXTH LEGISLATURE

SECOND SPECIAL SESSION

Convened and Adjourned on

Wednesday, November 9, 2005

PAGE INDEX

H.C.R. 201 −− RESOLUTION APPROVING LEGACY PARKWAY SETTLEMENT AGREEMENT *(J. S. Adams)*
Read for the first time 57
Placed on calendar 57
Read the second and third time 57
Signed by the President and returned to the House 58

S.B. 2001 −− LIMITATION OF TRUCKS ON LEGACY PARKWAY *(D. Eastman)*
Read the first time by short title. 53
Placed on calendar 53
Read the second and third time 53
Transmitted to the House 54
Signed by the President and transmitted to the Governor 58

STATE OF UTAH

SENATE JOURNAL

2006 GENERAL SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened
Monday, January 16, 2006

Adjourned Sine Die
Wednesday, March 1, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the 2006 General Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the General Session convening on Monday, January 16, 2006, and adjourning sine die on Wednesday, March 1, 2006.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

PRESIDENT OF THE SENATE

2006 General Session
Fifty−Sixth Legislature

In 2006, the Legislature dealt with the largest budget surplus in Utah history. Prosperity can be more challenging than lean years and demands discipline, foresight and vision, since prosperity and adversity are cyclical. We relied on the blessings of experience and the legacy of wisdom and courage as we tackled the issues before us.

During the legislative session we sought answers to some very tough questions. How much tax could we responsibly cut? Should we restructure our tax system? How do we make our taxes fair and equitable and provide the right incentives? What do we need to invest in our transportation infrastructure? What can we do for education? These issues put us at a crossroads. They required us to look into the future, they required vision on our part and they required strong leadership. I believe "Leadership is the art of creating a solution before the challenge becomes a crises." Future generations will look back and ask, "Did this Legislature make the right choices?"

Discussions on budget and tax reform were intense, emotional, and grueling at times. In the final days of the session, a tax and budget compromise was reached. The Senate held to the agreement, but others did not and the session adjourned sine die before our work was completed. Discussions continued and some issues were resolved in a May special session, but the tax cut, tax reform, and budget surplus debate has continued throughout this election year.

I hope the 2006 session will be remembered as the year more money than ever before was put into education and into health and human service funding, with substantial funding appropriated for our transportation needs. Other important legislation included SB 71, Consumer Credit Protection by Sen. Carlene Walker, SB 75, the U−STAR Initiative by Sen. Al Mansell, and a long awaited hate crimes bill, HB 90, Criminal Penalties Amendments, passed the Senate unanimously the last day of the session.

Through retirement and elections, we found ourselves saying good−bye to Senators Al Mansell, Parley Hellewell, Bev Evans, Tom Hatch, Dave Thomas, Patrice Arent and Karen Hale. In April, we mourned the death of Sen. Beverly Evans' husband, Steve, a friend to us all. We extend our deepest thanks to all who have moved on. We cherish their friendship and appreciate the countless hours they have given to serve the people of the state of Utah.

It is an honor and a privilege to serve as President of the Senate. I am grateful to the members of my leadership team for their support and untiring service; they are truly dedicated public servants. I am also grateful to all my colleagues, my friends in the Senate who strive to make wise decisions, to uphold the values of this great state and preserve the lifestyle we enjoy today. May the legacy we hand to future generations be equal to the legacy given to us.

John L. Valentine
President Utah State Senate

SENATE LEADERSHIP

MAJORITY LEADERSHIP (Republican)

Peter C. Knudson
Majority Leader

Dan R. Eastman
Majority Whip

Beverly Ann Evans
Asst. Majority Whip

MINORITY LEADERSHIP (Democrat)

Mike Dmitrich
Minority Leader

Gene Davis
Minority Whip

Karen Hale
Asst. Minority Whip

SENATE STAFF

Annette B. Moore
Secretary of the Senate

Leslie McClean
Manager Senate Services

Mary Andrus
Journal Clerk

Lynette Erickson
Docket Clerk

SENATE LEADERSHIP

President of the Senate (R) . . . . . John L. Valentine
Majority Leader (R) . . . . . Peter C. Knudson
Majority Whip (R) . . . . . Dan R. Eastman
Assistant Majority Whip (R) . . . . . Beverly Ann Evans
Minority Leader (D) . . . . . Mike Dmitrich
Minority Whip (D) . . . . . Gene Davis
Assistant Minority Whip (D) . . . . . Karen Hale

HOUSE LEADERSHIP

Speaker of the House (R) . . . . . Greg J. Curtis
Majority Leader (R) . . . . . Jeff Alexander
Majority Whip (R) . . . . . Stephen H. Urquhart
Assistant Majority Whip (R) . . . . . Ben C. Ferry
Minority Leader (D) . . . . . Ralph Becker
Minority Whip (D) . . . . . Brad King
Assistant Minority Whip (D) . . . . . Patricia Jones

STATE OFFICIALS

Governor . . . . . Jon M. Huntsman Jr.
Lieutenant Governor . . . . . Gary Herbert
Attorney General . . . . . Mark Shurtleff
Auditor . . . . . Auston Johnson
Treasurer . . . . . Edward T. Alter

CONGRESSIONAL DELEGATION

Senator . . . . . Robert F. Bennett
Senator . . . . . Orrin G. Hatch
Congressman . . . . . Jim Matheson
Congressman . . . . . Rob Bishop
Congressman . . . . . Chris Cannon

UTAH SUPREME COURT

Chief Justice . . . . . Christine M. Durham
Assoc. Chief Justice . . . . . Matthew B. Durrant
Justice . . . . . Michael J. Wilkins
Justice . . . . . Jill Parrish
Justice . . . . . Ronald E. Nehring

MEMBERS OF THE SENATE

MEMBERS OF THE SENATE
Fifty−Sixth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
Fred J Fife III	**1**	Salt Lake	(D)	842 W 900 S Salt Lake City Ut 84104 Home (801) 521−7383
Scott McCoy	**2**	Salt Lake	(D)	532 E 600 S Salt Lake City Ut 84102 Home (801) 359−2544
Gene Davis *Minority Whip*	**3**	Salt Lake	(D)	865 Parkway Ave Salt Lake City Ut 84106 Home (801) 484−9428
Patrice Arent	4	Salt Lake	(D)	6281 S Havenbrook Cir Murray Ut 84121 Home (801) 272−1956
Ed Mayne	**5**	Salt Lake	(D)	5044 W Bannock Cir West Valley City Ut 84120 Home (801) 968−7756
Michael G Waddoups	**6**	Salt Lake	(R)	2868 Matterhorn Dr Taylorsville Ut 84084 Home (801) 967−0225
Karen Hale *Asst Minority Whip*	**7**	Salt Lake	(D)	2564 Maywood Dr Salt Lake City Ut 84109 Home (801) 485−6642
Carlene Walker	8	Salt Lake	(R)	4085 E Prospector Dr Salt Lake City Ut 84121 Office (801)−733−4599
Al Mansell	9	Salt Lake	(R)	6995 Union Park Ctr Ste 100 Midvale Ut 84147 Home (801) 942−6019
D Chris Buttars	10	Salt Lake	(R)	9241 S Lisa Ave West Jordan Ut 84088 Home (801)561−0535
Howard A Stephenson	**11**	Salt Lake, Utah	(R)	1038 E 13590 S Draper Ut 84020 Home (801) 576−1022

Brent Goodfellow *Minority Whip*	**12**	Salt Lake, Tooele	(D)	3620 S 6000 W West Valley City, Ut 84128 Home (801) 968−0626
Mark B Madsen	**13**	Tooele, Utah	(R)	P O Box 572 Lehi Ut 84043 Home (801)864−0766
John L Valentine *President*	**14**	Utah	(R)	857 E 970 N Orem Ut 84097 Home (801) 224−1693
Parley Hellewell	**15**	Utah	(R)	492 S 1000 W Orem Ut 84058 Home (801) 226−3034
Curtis S Bramble	16	Utah	(R)	3663 N 870 E Provo Ut 84604 Home (801)226−3663
Peter C Knudson *Majority Leader*	**17**	Box Elder, Cache,Tooele	(R)	1209 Michelle Dr Brigham City Ut 84302 Home (435) 723−2035
David L Thomas	**18**	Davis, Weber	(R)	7875 S 2250 E So Weber Ut 84405 Home (801) 479−7479
Allen M Christensen	19	Morgan, Summit, Weber,	(R)	1233 E 2250 N North Ogden Ut 84414 Home (801) 782−5600
Scott K Jenkins	20	Weber	(R)	4385 W 1975 N Plain City Ut 84404 Home (801) 731−5120
Sheldon Killpack	**21**	Davis	(R)	3406 S 875 W Syracuse Ut 84075 Home (801) 773−5486
Gregory “S” Bell	22	Davis	(R)	744 Eagle Way Fruit Heights Ut 84037 Office (801) 971−2001
Dan R Eastman *Majority Whip*	**23**	Davis	(R)	968 Canyon Crest Dr Bountiful Ut 84010 Home (801) 295−5133

Darin G Peterson	24	Juab, Piute, Sanpete, Sevier,	(R)	451 E 1250 N Nephi Ut 84648 Home (435) 623−2271
Lyle W Hillyard	25	Cache, Rich,	(R)	175 E 100 N Logan Ut 84321 Home (435) 753−0043
Beverly Evans *Asst. Majoirty Whip*	**26**	Daggett, Duchesne, Summit, Uintah, Wasatch	(R)	HCR 65 Box 36 Altamont Ut 84001−9801 Home (435) 454−3719
Mike Dmitrich *Minority Leader*	**27**	Carbon, Emery, Grand, San Juan, Utah	(D)	566 N Dover Cir Price Ut 84501 Home (435) 637−0426
Thomas V Hatch	28	Beaver, Garfield, Iron, Kane, Millard, Washington	(R)	P O Box 391 Panguitch Ut 84759 Home (435)676−2214
John W (Bill) Hickman	**29**	Washington	(R)	214 N Emeraud Dr St George Ut 84770 Home (435)673−2671

*UTAH STATE CONSTITUTION
LEGISLATIVE DEPARTMENT
ARTICLE VI

*Copies of the Utah State Constitution, with amendments, are available in the Office of Legislative Research and General Counsel and in the Lieutenant Governor's office.

*"Rules of the Fifty−Sixth Legislature 2005"

Constitutional Provisions, Impeachment Provisions, Joint Rules of the Senate and the House of Representatives, Senate Rules, House Rules, Veto Sessions, and **Interim Study Committee Rules.**

*Copies available in the Legislative Printing.

STATE OF UTAH

SENATE JOURNAL
2006 GENERAL SESSION
of the
FIFTY−SIXTH LEGISLATURE

FIRST DAY

MORNING SESSION

January 16, 2006

Pursuant to the provisions of the Constitution of the State of Utah, the Senators of the Fifty−Sixth Legislature of the State of Utah convened in General Session in the Senate Chamber on Monday, January 16, 2006 at ten o'clock a.m.

The Senate was called to order at 10:00 a.m., with President John Valentine presiding.

PRAYER BY ELDER L. TOM PERRY
QUORUM OF TWELVE APOSTLES
CHURCH OF JESUS CHRIST OF LATTER−DAY SAINTS

O God, our Eternal Father in Heaven, as Thou knowest, we are gathered here today to open this session of the Fifty−Sixth Legislature in these the Senate Chambers of the State of Utah. Here we will witness each Legislator taking the Oath of Office to uphold and defend the Constitution of both the United States and that of the great state of Utah.

We are grateful to live in this state which is governed by the rule of law. Our founding fathers established a solid foundation aimed at guaranteeing the maximum freedom, happiness, and well−being of each individual. To them it was self evident that all men are created equal, endowed by certain inalienable rights including life, liberty, and the pursuit of happiness. Under these early leaders an inspired document clearly proclaims the government shall be established on such principles. This constitution of the United States was described by Gladstone as the most wonderful work ever struck off by the brain and purpose of man. Now under this foundation and this inspired document, this body has the challenge to counsel, advise, and consent to laws that will be in harmony with that which we have received.

The Senate will address the needs of an ever−changing state population which continues to grant opportunity for an ever growing diversity. We live in a world where we see so much human suffering caused by greed, lust, and a desire for unrighteous power. We see the deterioration and vagary of morality and integrity encroaching on our basic value system which are contrary to the standards we have enjoyed and benefitted by in the past years. How the world needs individuals with courage to stand up and be counted. The great blessings of liberty which have secured us under these laws have given us freedom, prosperity, and comfort never before known in the history of the world.

In this ever−changing world we must express our appreciation to those who have been elected to serve in the Legislature of this state. We have been favored in the past with those who have been dedicated to preserve our rights and uphold our value systems. We entrust to this point the responsibility of safeguarding and guaranteeing each citizen the blessings that they shall endure.

Now we ask a special blessing to be upon each lawmaker. As you counsel together, may you find common purpose and be united in those goals that will benefit the people of this great state. May you be blessed with wisdom and judgement in your deliberations. We bless this session that in the following days the communications systems will work and no untoward influence will disrupt the efficiency and ability to carry on your assignments to which you have been given.

Again we express our gratitude unto thee, Our Father, for the blessing of living in this land of the free, in this special state so rich in pioneer heritage, and under a system of government that guarantees us liberty and freedom. Bless this nation with peace, with understanding, with the ability to find agreement under the great system of government under which we live.

We humbly pray in the name of Jesus Christ, Amen.

POSTING OF COLORS & PLEDGE OF ALLEGIANCE

UTAH NATIONAL GUARD

Pledge of Allegiance − Sgt. Alex Fajardo, Utah National Guard

SPECIAL MUSICAL PRESENTATION

The Bear River High School Madrigals, directed by Brian Peterson, performed “Morning Breaks on Arlington” and “O Captain, My Captain.”

* * *

On motion of Senator Peter Knudson, the Senate thanked Elder Perry for delivering the invocation and ordered it printed upon the pages of the Senate Journal.

OPENING REMARKS – PRESIDENT JOHN L. VALENTINE

We have inherited a legacy of facing challenge with courage and foresight

The Resistance of the Revolutionary War Generation;
The Strength of Rosa Parks and Martin Luther King;
The Courage and Faith of the Utah Pioneers;
The legacy of a thousand personal, family, and community victories that will forever be unsung;
Even the Legislature has had to face challenge requiring grit and foresight (particularly the heartbreaking decisions of our most recent lean years).

PROSPERITY = CHALLENGE

Prosperity can be a greater challenge than adversity. In adversity the goal is clear, however difficult it may be to reach.

Prosperity demands discipline, foresight and vision.

George Washington said, "We should never despair; our situation before has been unpromising and has changed for the better, so I trust it will again. If new difficulties arise, we must only put forth new exertions and proportion our efforts to the exigency of the times."

If the recent lean years demanded our exertions, concentration, and efforts, how much more a year of plenty, like the one before us?

OPPORTUNITY = RESPONSIBILITY

Where there are great opportunities, there are great responsibilities. (The Spiderman Lesson: " With great power comes great responsibility.")

The Robust nature of our current economy is both challenge and opportunity.

Some questions need to be answered:

How much tax can we responsibly cut?
What do we need to invest in transportation infrastructure?
How should we restructure the tax system?
How can we make sure our taxes are fair and provide the right incentives?
What can we do for Education in the state?
We should also remember that prosperity and adversity are cyclical.

All these issues have put the state of Utah at a crossroads.

They require looking into the future. They require vision and Leadership.

The Iroquois Confederacy dealt with the politics of abundance by insisting that every decision must regard the seventh generation coming.

Future generations will look back to this time and ask the question: Did this Legislature make the right choices?

I believe that leadership is the art of creating a solution before the challenge becomes a crisis.

We are at a crossroads. What we do here will exacerbate or alleviate future crises.

THIS SENATE

Do you have the vision? I believe you do.

I know this group has the depth, experience, luminescence, and vision to find the solutions.

This is a group of :

Male and Female
Engineers
Radio Stars
Union Organizers
War Veterans
Property Managers
Publishers and Editors
Business Men and Women
Real Estate Professionals
Developers
Non−Profit Leaders and Administrators
Teachers & Education Administrators
Business Owners
Accountants
Dentists
Attorneys
Farmers and Ranchers a
A Natural resources consultant
A Banker

This Session will draw on every bit of our experience, our insight and expertise to build good policy. Beyond that, I'm asking for the energy of your heart and soul − to do what's right for the people you represent.

I am asking for your VISION.

VISIONARIES

Times of drought require decisive leadership. In time of rain we need to add foresight and careful planning to that decisiveness.

William Sloan Coffin said, "It is one thing to say with the prophet Amos, 'Let justice roll down like mighty waters', and quite another to work out the irrigation system."

The people who elected you to this office need you to work out an irrigation system: one that works in times of drought as well as years of flood. This effort will require every ounce of perception, spirit and expertise you can offer.

Whether by fate, luck or Divine intervention, you are prepared for this job.

Whether you believe you are here by destiny, deity, or chance − you have a work to do here that no one else can do. You have perspective and insight that no one else can offer this body.

I am asking Senators to take the long view − to make careful decisions based on the facts and merits of an issue, not short−term political expediency. When Rosa Lee Parks kept the seat that was rightfully hers, she did not do what was easy, popular, or comfortable. I am asking you to be equally faithful to your values and the values of those you represent.

I am asking the public to be informed, pay attention, and hold their elected representatives accountable for how they represent you − and not just you but your posterity into the seventh generation.

Joseph Pulitzer said: "We are a democracy, and there is only one way to get a democracy on its feet in the matter of its individual, its social, its municipal, its state, and its national conduct; that is by keeping the public informed about what is going on."

As representatives of the public, I am asking the media to be attentive, professional, and accurate.

John Quincy Adams said, "Posterity: you will never know how much it has cost my generation to preserve your freedom. I hope you will make good use of it."

Friends and colleagues. let's make good use of the great opportunities given to us this session.

* * *

On motion of Senator Evans, the Senate moved to have President Valentine's remarks spread upon the pages of the Senate Journal.

CERTIFICATION OF MEMBERSHIP

Annette B. Moore read the following Certification of Membership for the 2006 General Session of the Utah State Senate:

CERTIFICATE OF MEMBERSHIP OF THE
2006 GENERAL SESSION
OF THE UTAH STATE SENATE
56TH LEGISLATURE

I, GARY R. HERBERT, Lieutenant Governor of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday November 2, 2004, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 1, 2005, to wit:

FIRST DISTRICT: County of Salt Lake
Fred J. Fife III
SIXTH DISTRICT: County of Salt Lake
Michael G. Waddoups
EIGHTH DISTRICT: County of Salt Lake
Carlene M. Walker
TENTH DISTRICT: County of Salt Lake
D. Chris Buttars
THIRTEENTH DISTRICT: Counties of Salt Lake, Tooele
Mark B. Madsen
FOURTEENTH DISTRICT: County of Utah
John L. Valentine
SIXTEENTH DISTRICT: County of Utah
Curtis S. Bramble
NINETEENTH DISTRICT: Counties of Morgan, Summit, Weber
Allen M. Christensen
TWENTIETH DISTRICT: County of Weber
Scott K. Jenkins
TWENTY−FIRST DISTRICT: County of Davis
Sheldon L. Killpack
TWENTY−THIRD DISTRICT: County of Davis
Dan R. Eastman

TWENTY−FIFTH DISTRICT: Counties of Cache, Rich
Lyle W. Hillyard
TWENTY−SEVENTH DISTRICT: Counties of Carbon, Emery, Grand, San Juan, Utah
Mike Dmitrich
TWENTY−NINTH: Counties of Washington
John W. "Bill" Hickman

I FURTHER CERTIFY that at a General Election held within and for the State of Utah on Tuesday, November 5, 2002, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 1, 2003, to wit:

THIRD DISTRICT: County of Salt Lake
Gene Davis
FOURTH DISTRICT: County of Salt Lake
Patrice Arent
FIFTH DISTRICT: County of Salt Lake
Ed Mayne
SEVENTH DISTRICT: County of Salt Lake
Karen Hale
NINTH DISTRICT: County of Salt Lake
L. Alma "Al" Mansell
ELEVENTH DISTRICT: Counties of Salt Lake, Utah
Howard Stephenson
FIFTEENTH DISTRICT: County of Utah
Parley G. Hellewell
SEVENTEENTH DISTRICT: Counties of Box Elder, Cache, Tooele
Peter C. Knudson
EIGHTEENTH DISTRICT: Counties of Davis**,** Weber
David L. Thomas
TWENTY−SECOND DISTRICT: County of Davis
Gregory S. Bell
TWENTY−SIXTH DISTRICT: Counties of Daggett, Duchesne, Summit, Uintah, Wasatch
Beverly Evans
TWENTY−EIGHTH DISTRICT: Counties of Beaver, Garfield, Kane, Millard, Washington
Thomas Hatch

I further certify that the following individuals have been duly appointed to serve in the Utah State Legislature as members of the State Senate, filling seats

vacated in their respective districts, to serve the remainder of the unexpired terms of their predecessors, to wit:

SECOND DISTRICT: Counties of Salt Lake
Scott McCoy
TWELFTH DISTRICT: Counties of Salt Lake, Tooele
Brent Goodfellow
TWENTY−FOURTH DISTRICT: Counties of Juab, Piute, Sanpete, Sevier, Tooele, Wayne
Darin R. Peterson

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah on this 16th day of January, 2006, at Salt Lake City, Utah.
Gary R. Herbert
Lieutenant Governor

Communication filed

Roll Call − All Senators present

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, "Miss Barbara" of Romper Room spoke in Committee of the Whole.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

President Valentine directed that the following be recorded in the Senate Journal as leaders of the 2006 General Session of the 56th Legislature:

President − John L. Valentine
Majority Leader − Peter C. Knudson
Majority Whip − Dan R. Eastman
Asst. Majority Whip − Beverly Ann Evans
Minority Leader − Mike Dmitrich
Minority Whip − Gene Davis
Asst. Minority Whip − Karen Hale

President Valentine appointed a Senate Rules Committee comprised of Senator Michael G. Waddoups, Chairman, and Senators Curtis S. Bramble, D. Chris Buttars, Sheldon Killpack., Dave Thomas, Carlene Walker, Gene Davis

and Ed Mayne to formulate the Senate Rules and work with the House of Representatives in formulating Joint Rules.

President Valentine appointed Senator Gregory Bell as the Committee Chair to serve Patronage and Employees.

On motion of Senator Michael Waddoups, the Senate Rules and the Joint Rules of the 2005 General Session of the Fifty−Sixth Legislature were adopted with the understanding that changes to these rules for the 2006 General Session of the Fifty−Sixth Legislature will be considered and adopted as soon as possible.

President Valentine appointed Senators Darin Peterson, Sheldon Killpack, and Scott McCoy as a committee to notify the House of Representatives that the Senate is organized and ready to do business.

President Valentine appointed Senators Howard Stephenson, Bill Hickman, and Fred Fife, as a committee to notify Governor Jon M. Huntsman, Jr. that the Senate is organized for the 2006 General Session of the Fifty−Sixth Legislature and ready to do business.

Representatives Daw, Fowlke, and Wiley formally notified the Senate that the House is organized and ready to do business.

Senator Peterson, chairman of the Committee to Notify the House, reported the House has been notified that the Senate is organized and ready to do business.

Senator Stephenson, Chairman of the Committee to Notify the Governor, reported that His Excellency, Governor Jon M. Huntsman, Jr. has been notified that the Senate is organized and ready to do business.

On motion of Senator Waddoups, as provided by the Utah Constitution and Legislative Rules of the Legislature, the Senate voted to continue its practice of reading only the short titles of bills and resolutions as they are introduced or considered on a Senate calendar and not read the long title of the bills and resolutions unless any senator requests the reading of the long title of any House or Senate bill or resolution.

At the direction of President Valentine, information and membership concerning the following committees are to be officially recorded in the Senate Journal:

STANDING COMMITTEES

Business and Labor
Scott Jenkins, *Chair*
Thomas Hatch
Parley Hellewell
Bill Hickman
Sheldon Killpack
Al Mansell
Michael G. Waddoups
Gene Davis
Ed Mayne

Education
Dave Thomas, *Chair*
D. Chris Buttars
Dan Eastman
Mark Madsen
Howard Stephenson
Patrice Arent
Karen Hale

Government Operations and Political Subdivisions
Parley Hellewell, *Chair*
Allen Christensen
Bill Hickman
Gene Davis
Brent Goodfellow

Health and Human Services
Allen Christensen, *Chair*
Greg Bell
Beverly Evans
Peter Knudson
John Valentine
Gene Davis
Scott McCoy

Judiciary, Law Enforcement and Criminal Justice
Chris Buttars, *Chair*
Greg Bell
Al Mansell
Mark Madsen
Lyle W. Hillyard
Dave Thomas
Mike Dmitrich
Patrice Arent

Natural Resources, Agriculture and Environment
Michael Waddoups, *Chair*
Darin Peterson
Beverly Evans
Thomas Hatch
Fred Fife
Scott McCoy

Revenue and Taxation
Curtis S. Bramble, *Chair*
Greg Bell
Lyle Hillyard
Howard Stephenson
Darin Peterson
John Valentine
Mike Dmitrich
Brent Goodfellow

Transportation and Public Utilities and Technology
Sheldon Killpack, *Chair*
Curtis Bramble
Scott Jenkins
Carlene Walker
Karen Hale
Ed Mayne

Retirement and Independent Entities
Beverly Evans, *Chair*
Chris Buttars
Carlene Walker
Karen Hale
Gene Davis

Workforce Services and Community and Economic Development
Carlene Walker, *Chair*
Dan Eastman
Beverly Evans
Peter Knudsen
Mark Madsen
Fred Fife
Ed Mayne

Senate Rules
Michael Waddoups, *Chair*
Curtis S. Bramble
D. Chris Buttars
Sheldon Killpack
Dave Thomas
Carlene Walker
Gene Davis
Ed Mayne

EXECUTIVE APPROPRIATIONS AND JOINT APPROPRIATIONS SUBCOMMITTEES

Executive Appropriations
Lyle Hillyard, *Chair*
Curtis Bramble, *Vice Chair*
John L. Valentine
Peter Knudson
Dan Eastman
Beverly Evans
Mike Dmitrich
Ed Mayne
Gene Davis
Karen Hale

Capital Facilities and Administration
Bill Hickman, *Co−Chair*
Peter Knudson
John Valentine
Mike Dmitrich

Commerce and Revenue
Mark Madsen *Co−Chair*
Curtis Bramble
Ed Mayne

Economic Development & Human Relations
Al Mansell, *Co−Chair*
Dan Eastman
Scott McCoy

Executive Offices and Criminal Justice
Dave Thomas, *Co−Chair*
Darin Peterson
Brent Goodfellow

Health and Human Services
Sheldon Killpack, *Co−Chair*
Chris Buttars
Allen Christensen
Gene Davis

Higher Education
Greg Bell, *Co−Chair*
Peter Knudson
Dan Eastman
Carlene Walker
Patrice Arent

Natural Resources
Tom Hatch, *Co−Chair*
Beverly Evans
Parley Hellewell
Mike Dmitrich

Public Education
Howard Stephenson, *Co−Chair*
John Valentine
Beverly Evans
Karen Hale

Retirement and Independent Entities
Beverly Evans, *Co−Chair*
Chris Buttars
Carlene Walker
Karen Hale

Transportation & Environmental Quality
Scott Jenkins, *Co−Chair*
Michael Waddoups
Fred Fife

On motion of Senator Bell, the Senate voted to adopt the following committee report and employ the persons recommended by Senator Bell.

EMPLOYEE COMMITTEE REPORT

Senator Bell introduced the Senate Staff.

Mr. President and members of the Senate:

As Chair of the Committee on Patronage and Employees, I recommend that these individuals be employed as Senate Staff for the 2006 General Session of the Fifty−Sixth Legislature:

Annette B. Moore	Secretary of the Senate
Leslie O. McLean	Manager of Senate Services
Ric Cantrell	Majority Administrative Assistant
Janeen M. Halverson	Minority Administrative Assistant
Greg Johnson	System Analyst and Computer Specialist
Lynette Erickson	Admin. Asst./Docket Clerk
Mary Andrus	Journal Clerk
Paula Tew	Legislative & Third House Aide
Rolayne Day	Secretarial Supervisor & Committee Secretary

Saundra Maeser	Rules Secretary
Bonnie Brinton	Committee Secretary
Cherie M. Schmidt	Committee Secretary
Karen Allred	Committee Secretary
Nedra Duzett	Committee Secretary
Norda Shepard	Committee Secretary
Robert L. Gardner	Sergeant At Arms
Leo Parry	Asst. Sergeant At Arms
Thomas R. Shepherd	Security
Wayne Roberds	Security
Virgil Blair	Security
Glenn Hildebrand	Security
Paul Jacobs	Security
Tony Mascaro	Security
Gayle C. Petersen	Page Supervisor
Shirley C. Taylor	Asst. Page Supervisor
Diane Lloyd	Page
Linda Cornaby	Page
Jacque Frei	Page
Christine Hunter	Page
Judy Paulson	Page
Mary L. Russell	Page
Dianne Richards	Page
Deanne Evans	Page
Georgianna Knudson	Docket Clerk Aide
Eileen Miller	Public Address System Operator
Evoline Gardner	Hostess and 3rd House Aide
Vicky Barber	Public Information Officer
Rebecca Rawson	Public Information Officer
Pamela H. Benson	Public Information Officer

INTRODUCTION OF INTERNS

Laura Barlow	Craig Hansen
Jeff Barth	Greg Homer
Dan Brinton	Taylor Howe
Jarom Castleton	Joshua Hurst
Amanda Chamberlain	Rachel MacFarlane
Dan Dickson	Lesley Manley
Daniel Francom	Lindsey Moore

Courtney Nay
Wendy Peck
Sam Ricks
Mark Robertson
Jake Seely
Erin Simpson
Leah Vinton
Heather Wood

INTRODUCTION OF BILLS

S.B. 1, **State Agency and Higher Education Base Budget Appropriations** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 3, **Minimum School Program Base Budget Amendments** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 6, **Health and Human Services Sunset and Reporting Amendments** (A. Christensen), read the first time by short title and referred to the Rules Committee.

S.B. 7, **Child Protection Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 8, **Care of Students with Diabetes in School** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.B. 9, **Open and Public Meetings Act Revisions** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 10, **Provisional Ballot Amendments** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 11, **Election Code Revisions** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 12, **Electronic Meeting Amendment** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 13, **Commercial Driver License Amendments** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 14, **Insurance Department − Sunset Amendments and Revisions** (S. Jenkins), read the first time by short title and referred to the Rules Committee.

S.B. 15, **Grama Appeals Process and Document Request Amendments** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 16, **Civil Antitrust Amendments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 17, **Highway Transfer Process Amendments** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 18, **Driving Under the Influence Amendments** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 19, **Amendments to Indoor Clean Air Act** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 20, **Repeal of Utah Digital Signature Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 21, **Employment Security Amendments** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.B. 22, **Department of Community and Culture Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 23, **Office of Museum Services** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.B. 24, **Weapons Amendments** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 25, **Coordination with Tribal Leaders Amendments** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 26, **Administrative Rules Reauthorization** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 27, **Lake Powell Pipeline Development Act** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 28, **Sales and Use Tax − Exemption for Isolated or Occasional Sales** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 29, **Sales and Use Tax Exemption − Telecommunications** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 30, **Sales and Use Tax Exemption for Semiconductor Fabricating, Processing, Research, or Development Materials** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 31, **Sales and Use Tax − Manufacturing Exemptions Amendments** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 32, **Multi−channel Video or Audio Service Tax − County or Municipality Franchise Fee Tax Credit** (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

S.B. 33, **Sales and Use Tax Exemptions for Certain Business Inputs** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 34, **Gross Receipts Tax Amendments, Repeal and Public Utility Tariffs** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 35, **Local Option Sales and Use Tax Distribution Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 36, **School Districts − Limited Amendments to Truth in Taxation** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 37, **Income Tax − Taxation of Individuals, Estates, and Trusts** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 38, **Individual Income Taxation of Certain Trust Distributions** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 39, **General Fund Surplus Appropriation for Water Development Projects** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 40, **Mine Safety and Certificate Amendments** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 41, **Restrictions on Use of Physician Disclosures** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 42, **Amendments Prohibiting Health Insurance Discrimination** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 43, **Minimum Wage Amendments** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 44, **Home Inspection Standards** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 45, **Oil and Gas Conservation Account Amendments** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 46, **Utah Coal Regulator Program Amendments** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 47, **Restoration of Voting Rights Amendments** (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

S.B. 48, **School Nurses Legislative Task Force** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 49, **School Community Council Amendments** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.B. 50, **Jail Funding Amendments** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 51, **Driving with a Controlled Substance in the Body − Amendments** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 52, **Antiphishing Provisions** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.B. 53, **Adult Protective Services Amendments** (A. Christensen), read the first time by short title and referred to the Rules Committee.

S.B. 54, **Revenue Flow from Speeding Violations** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.B. 55, **Election Reform** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

S.B. 56, **Secondary School Amendments** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 57, **Telehealth for Rural Utah** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 58, **Alcoholic Beverage Amendments − Eliminating Alcohol Sales to Youth** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 59, **Purchasing from People with Disabilities Amendments** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 60, **Western States Presidential Primary** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 61, **Uniform Mediation Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 62, **Judicial Conduct Commission Amendments** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 63, **Issuance and Display of License Plates** (D. Eastman), read the first time by short title and referred to the Rules Committee.

S.B. 92, **Licensure of Crane Operators** (G. Davis), read the first time by short title and referred to the Rules Committee.

S.B. 93, **Boiler and Elevator Safety Provisions** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 94, **Amendments to Utah Comprehensive Health Insurance Pool** (G. Davis), read the first time by short title and referred to the Rules Committee.

S.B. 95, **Psychologist Licensing Act Amendments** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 96, **Public Education − Instruction and Policy Relating to the Origins of Life** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 98, **Safety Belt Enforcement Amendments** (K. Hale), read the first time by short title and referred to the Rules Committee.

S.B. 99, **County Recorder Amendments** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 100, **County Officer Amendments** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 101, **County Assistance to Nonprofit Entities** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 102, **Gifts to Public Officials** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 103, **Prohibition of Contingent Fees for Expert Witnesses** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 104, **Prescribing Practices for Schedule II Drugs** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 105, **County Officer Revisions** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 106, **Uniform Interstate Enforcement of Domestic Violence Protection Orders Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 107, **Title to Manufactured Housing or Mobile Homes** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 108, **Ethics in Dental Advertising** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 109, **Uniform Commercial Code − Warehouse Receipts, Bills of Lading, and Other Documents of Title** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 110, **Protection of Certain Voter Information** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 111, **Water Conservancy District Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 112, **Centers of Excellence Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 113, **Governmental Immunity Limits** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 114, **Producer and Affiliate Disclosure Amendments** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 115, **Continuing Education in Insurance** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 116, **Department of Financial Institution's Fees** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 117, **Eminent Domain Amendments** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 118, **Driving by Minors Amendments** (K. Hale), read the first time by short title and referred to the Rules Committee.

S.B. 119, **Repeal of Off−highway Vehicle Registration Number** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 120, **Governor's Rural Partnership Board Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 121, **Small College Enhancements** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.B. 122, **Repeal of Libel Provisions** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 123, **Utah Consumer Credit Code Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 124, **Alcohol Beverage Control Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 125, **Malik's Law − Homicide Amendment** (F. Fife), read the first time by short title and referred to the Rules Committee.

S.B. 126, **Transportation of Children in Kindergarten Through Sixth Grade** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 127, **Vacating or Changing a Subdivision Plat** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 128, **Revolving Credit Line Trust Deed** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 129, **Motor Vehicle Registration Amendments** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 130, **Joint Tenancy Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 131, **Authorization of Opinion Questions to Voters** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 132, **Surplus Property Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 133, **Liability Protections for Charity Care** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 134, **Lien Duration of a Foreign Judgment** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 135, **Inherent Risk of Skiing Amendments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 136, **Tax on Insurance Premiums** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 137, **Business Organization and Division of Corporations and Commercial Code Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 138, **Traffic Tickets and Convictions** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 139, **Reportable Transactions Act** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 140, **Unlawful Outdoor Advertising Amendments** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 141, **Response to HIPAA Changes** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.J.R. 1, **Resolution Approving Reappointment of Director of Legislative Research and General Counsel** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.J.R. 2, **Resolution Enlarging Revenues and Assets in State Trust Fund** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.J.R. 3, **Interim Rules Resolution − Quorum Requirements** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.J.R. 4, **Interim Rules Resolution − Committee Powers** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.J.R. 5, **Joint Resolution Condemning Use of Torture** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.R. 1, **Senate Rules Resolution − Consent Calendar Amendments** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Luz Robles, Phyllis Caruth, Chair, Martin Luther King Jr. Commission and Judge Shauna Graves−Robertson, Salt Lake County Justice Court, spoke in Committee of the Whole. Senators Stephenson, Hale, and McCoy commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

On motion of Senator McCoy, the Senate voted to have the remarks by Judge Graves−Robertson spread upon the pages of the Senate Journal.

REMARKS BY JUDGE SHAUNA GRAVES−ROBERTSON

To Senate President John L. Valentine, to each and every member of the Utah State Senate, to Miss Luz Robles, Director, Office of Ethnic Affairs, Mr. Michael Styles, Director, Office of Black Affairs; Miss Edie Mitko, Director of the Office of Asian Affairs; and Miss Phyllis Caruth, Chair, MLK, Jr. Human Rights Commission; and to the members of my family who have joined me. My daughter Jordan and my husband John seem to be lost in the hall, but of course I have a fan club of one, my daughter Joey, with me. To all in attendance, good morning.

I am Judge Shauna Graves−Robertson and as has already been said, I currently serve as the presiding judge of the Salt Lake County Justice Court. I was honored when Mr. Styles asked me to offer a few remarks to this powerful body as you prepare to open your 56th Annual Session, which begins on the day that this nation pauses to remember the life and works of the late Dr. Martin Luther King, Jr. When I asked Mr. Styles how my remarks should be fashioned and what type of information they should contain, his initial response caused me great concern. Why? Well, he said my remarks should be brief−about five to seven minutes−and I thought to myself, he obviously doesn't understand that I am an attorney, and I have never known a lawyer who could give brief remarks. However, he went on to say that I should talk about myself and my struggles, the adversity I have faced or continue to face as the only African American woman represented in the judiciary of the State of Utah and how my success, if one could call it that, coincides with Martin Luther King Jr.'s dream and keeping that dream alive. So I thought briefly I would tell you that I am the realization of the dream.

I represent what the dream is all about, and my hope is that YOU won't let the dream die. You see, I'm the product of a poor, hard−working, God−fearing single mother who, with the help of the members of this community, was able to properly raise and educate her child. Were there difficulties? Were there struggles? Did I face racism and bigotry? Absolutely! But I choose not to focus on the negative, but instead highlight the positive, because for every door that was closed, supporters of the dream gave me a hand up and made sure that two doors were opened.

I had fabulous mentors, like the late Dr. Alberta Henry, Reverend France Davis, Dr. Astacia Adams, and Dr. Ronald G. Coleman who made sure that I didn't get lost in the educational system, be it the secondary system or the highest educational system. And when I needed resources that they did not have, they introduced me to those who did like Mrs. Flora Lee Milsap, a former educator, who provided me with financial assistance while in law school; Senator Orin G. Hatch, who gave me a job while I lived in Washington D.C. and attended the American University; or the late Scott Matheson, who appointed me the Director of the Office of Black Affairs in the late 1980s. In fact, you should be aware that I acquired my first job in State Government through a legislative co−op then known as the Moroni L. Jensen Utah State House Fellowship.

Yes, I've had challenges, and every poor, disadvantaged child in this state will face a level of adversity as they attempt to live out Dr. King's dream that their middle−and upper−class counterparts know nothing about. And so the question becomes, how can you help. What can you do to insure that the dream Dr. King had for all people−not just black people, but all people−is realized and does not die.

As you do your work over the next forty−five days, I ask you to ask yourself, "How will the decisions I made today affect the poor, the disenfranchised, and youth? Are we spending our educational dollars in a way that will allow our children the opportunity to get a quality education?" And I should say all children. "Are we funding programs that give access to proper health care, food and shelter? Do we allow racial profiling and hate crimes to prevail? Do we have a criminal justice system, be it courts, corrections or police that is representative of the people that it serves? Do we support alternative avenues for those who find themselves in the criminal justice system such as drug courts and treatment, mental health courts and treatment, or domestic violence courts and treatment?" In other words, are you willing to provide a hand up, not a hand out? Are you willing to craft your legislation in a way that will allow people to help themselves so that five, ten, fifteen years from now another speaker will be able to say that a bill you passed allowed them not only the bootstraps to pull themselves up by, but the boots to put on? If you are willing to enact laws or fund programs that provide

for the least among you, then the dream won't die because you will have supported the dream and passed it on. Thank you.

On motion of Senator Knudson, and at 11:40 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:45 p.m., with President Valentine presiding.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Chief Justice Christine M. Durham spoke in Committee of the Whole. Senator Mansell commented.

On motion of Senator Eastman, the Senate voted to spread the remarks of Chief Justice Durham on the pages of the Senate Journal.

STATE OF THE JUDICIARY
CHIEF JUSTICE CHRISTINE M. DURHAM

President Valentine, Speaker Curtis, distinguished members of the Senate and House of Representatives, I thank you for the invitation to deliver these remarks on behalf of our dedicated judges and staff from across this wonderful state of ours. I am pleased to have my colleagues Associate Chief Justice Michael Wilkins, Justices Durrant, Parrish, and Nehring, and our state court administrator, Dan Becker, with me this afternoon.

Every day the morning news reminds us that we truly do live in a global environment, a fact that has economic, cultural, and public policy implications. The challenges we face in our country are many, but for the most part as they relate to government they concern the operation of a stable form of government and the realization of the promise of our constitution. As we observe the struggles taking place around the world where people are desperately trying to establish and apply democratic principles, to embrace the rule of law, and to create effective government, we should all be reminded as we read the morning paper of just how much we take for granted in our country.

Much of the world's attention these days is focused on the struggles in the Middle East, particularly Iraq. Watching the evening news footage of the trial of a deposed dictator and his chief lieutenants, we witness the presiding judge struggling to maintain order and conduct a judicial proceeding that is both fair and credible to the people of his country and, by extension, to the world. No small task. But, even as news reports draw our attention to the most difficult struggles abroad, we should not lose sight of very real success stories.

I would like to share with you an emerging success story from Mongolia. Just over a year ago, the President of Mongolia, Natsaglin Bagabandi, visited Washington D. C. to meet with President Bush and share the progress being made in this new democracy. Strikingly, President Bagabandi singled out judicial reform as the most important development in the new, democratic Mongolia. Of particular interest to us is the fact that Mongolian legal, political, and judicial representatives spent some time in Utah, under the auspices of the National Center for State Courts, studying our judicial system. The Center's Mongolia project is viewed as its most successful international rule of law effort. It turns out that Mongolia not only adopted a judicial system modeled on Utah's but also implemented our Judicial Council format and details of our operation, right down to our committee structure.

When our visitors were asked what most impressed them about what they had seen here, the response was that we are an example of courts doing business in the open. They admired the way our Judicial Council operates−with notice, public meetings, press attendance, frequent attendance of legislative staff, and public votes, and they concluded that our model would contribute to their own efforts to create a robust governance process deserving of public trust and confidence.

I would add as a footnote to this story that a number of Utah judges have been called on to teach about our system and the rule of law in Ukraine, including my colleague on the Supreme Court, Associate Chief Justice Wilkins.

Playing some part in these success stories is a source of great pride to our courts and our state. It is our own sense of pride in and respect for our form of government that continues to inspire people around the world. Those of us in positions of public leadership have a special duty to encourage and enhance respect for government, and as public servants we must recognize that public trust and confidence is not bestowed as a matter of course, but must be earned.

Part of our obligation in this regard is to remind ourselves and our citizens about what we take for granted, and what Mongolia is working to build: a government founded on the rule of law.

I would like to share with you what the judicial branch of government is doing to try to strengthen trust and confidence in our system. In previous years I have mentioned our support of civic education in Utah's schools, colleges, and universities. Recently, the courts along with more than twenty other groups (who form the Coalition for Civic, Character, and Service Learning) sponsored the third annual Dialogue on Democracy, two days of public programming devoted this year to discussion about religious liberty and public life. Judges and court staff organized in−court experiences with school teachers and student leaders from

many parts of the state designed to demonstrate the part played by the courts in our civic life. In the written evaluations of the session devoted to the courts in Utah, teachers identified numerous insights and ideas acquired from the process. Here are some of their comments: "[the] Judicial [branch] is the least known and understood. These presentations were important;" "[the] resources of [the] Courts [are] available to teachers;" "[I gained] renewed appreciation for living in a country where [the] judicial process works like it does;" "[I] will teach more about the court system;"

"I will include this information in my constitution unit;" and finally, my favorite, "Classrooms are laboratories for freedom."

This very successful project on civic engagement has been so successful because it is collaborative. Numerous government and community leaders play important roles, several legislators participated in the Dialogue, and Representative LaVar Christensen and Senator Karen Hale are members of the Coalition. The Governor supported the Dialogue by declaring November 17 "Civic, Character, and Service Learning Day," and the State Office of Education has retained a specialist in civic education who now oversees the work in the public schools and provides staff support for the Coalition.

Another example of collaborative efforts in the public interest is the work of the Judicial Council's Committee on Children and Family Law which brings together knowledgeable people throughout government and the private sector to address public needs, including a number of legislators. Senator Lyle Hillyard, for example, has served on this committee from its inception. Recently, through the significant efforts of Senator Greg Bell who worked with a subcommittee on warrants in child welfare cases, thoughtful solutions have been identified for some difficult problems; and I understand that a resulting piece of legislation has widespread support. What a wonderful example of thoughtful information−gathering and collaborative policy discussion leading to effective legislative work that is likely to solve problems, benefit our people, and, incidentally, avoid − we all hope − challenges to the end result.

As reflected by the role of the Committee for Children and Family Law, the courts, while not having direct policy−making responsibility themselves, can often serve as the "convening entity" for community−wide discussions that implicate public and private decision−making. Two more examples come to mind. The original Task Force on Racial and Ethnic Fairness, organized by the courts, was a broad−based effort to bring the courts, law enforcement, state and local legislative representatives, leaders in minority communities, service providers, and citizens together in a forum where communication and problem−solving could occur.

The value of that effort and its ongoing importance to the state has been acknowledged by Governor Huntsman, whose budget this year proposes to give the task force a stable home in the executive branch.

A second example of community−wide collaboration at the invitation of the courts concerns a set of issues I mentioned in my remarks to you last year: the needs of Utah children in foster care. With the help of former Governor Olene Walker, I have invited a truly remarkable group of public and private leaders in this state to figure out what can be done to achieve for these children some of the things that the rest of our children take for granted, things like stability and permanence in their family relationships, caring and responsible adults to shelter their childhood and guide their journey into young adulthood, educational support, health and mental health treatment, even driver's licenses when they turn sixteen! We have called our effort, appropriately, IOU−Initiative on Utah Children in Foster Care. The initiative is currently working specifically on federal and state funding issues, transitions to adult living, community support for kinship care placements, and public awareness about the child welfare and foster care systems. I have been overwhelmed by the work of Initiative members−and these are very busy, very effective community leaders. As examples, our membership includes: from the government sector, the heads of the Department of Human Services, the Division of Child and Family Services; the Department of Work Force Services, and the Commission on Criminal and Juvenile Justice; the Governor's legal counsel; the Attorney General; Chris Bleak, Speaker Curtis' Chief of Staff; Ric Cantrell of President Valentine's staff; Senator Dan Eastman; Representative David Litvak; Congressman Chris Cannon; Senator Orrin Hatch's Utah legal counsel; two juvenile court judges; and Court of Appeals judge William Thorne, who was part of the PEW Commission's national task force on children in foster care.

Other public sector members are President Michael Young of the University of Utah, who has identified this work as an important way to contribute to the community; the State Superintendent of Public Education; and the director of Ute Tribal Social Services. From the business community, Steve Scott of Zions Bank has brought invaluable resources, and the advocacy communities are represented by the heads of Allies with Families and Voices for Utah Children, as well as long−time advocate for Utah's needy, Pamela Atkinson. We have also sought and received wonderful support from Utah's religious leaders; Bishop George Niederauer of the Catholic Diocese, Reverend France Davis from Calvary Baptist Church, and Elder Merrill Bateman from the Church of Jesus Christ of Latter−Day Saints have been major sources of ideas and plans, as has Lisa Eccles from the Eccles Foundation and Dr. Tom Metcalf, long−time advocate for children and their healthcare needs. I have shared this long list of amazing people because I

believe our work represents the talent and the resources that our community can bring to bear on critical problems that need to be addressed and can be fixed.

Perhaps a brief incident from a recent meeting of the initiative will help to explain why so many busy people are willing to use their resources and influence for positive change. We invited four young people, one still in foster care and three other recent "graduates" of the program, to talk to us about their experiences. One of them was asked about the kind of support he had received as he moved out on his own, an 18−year−old adult responsible for his own life. "Did you receive calls to check up on you or to offer support or advice?" "No," he replied, "for whatever reason, I didn't. It would be nice, you know, to get a phone call once in awhile, to know somebody cares about you−like on your birthday, or something." Here sat a young man so alone in the world that no one remembered his birthday and his phone never rang. There weren't very many dry eyes in the room, and at least five initiative members quickly asked for his phone number. This young man's story reminded us all of the human side of the issues we are struggling with.

It is likewise that human element that is so important in one final area I'd like to mention in which the courts have used our ability to "convene" community efforts. This is something I have mentioned in years past, and something that the legislature and the Governor have actively supported: problem−solving courts. Building on our considerable success with the drug court model, we have been expanding our efforts to focus on outcomes for people in certain kinds of cases rather than merely on disposition of cases. According to a recent report from the Coalition for Juvenile Justice, 50−75 percent of adolescents involved in the juvenile justice system have diagnosable mental disorders, while 20 percent have serious mental health problems. Close to home, our own information indicates that more than 1,200 young people in Utah's juvenile justice system each year show signs of severe mental disorders. This Wednesday a Mental Health Court pilot project will officially begin in Third District Juvenile Court Judge Dane Nolan's courtroom at the West Jordan Courthouse. This will be one of the first courts of its kind in the nation. The court will work in partnership with Valley Mental Health, the Salt Lake County District Attorney's office, contract defense counsel, the Salt Lake County Division of Substance Abuse Services, Jordan School District, Salt Lake County Division of Mental Health, Utah Department of Human Services, the Division of Juvenile Justice Services, the National Alliance for the Mentally Ill, and Juvenile Justice Advocates. The hope is that coordination of services, treatment, and judicial supervision of young people in trouble, whose problems include serious mental health issues, will result in better outcomes for the children, for their families, and for the community.

The kind of innovative culture that some of these programs reflect can only thrive in systems that are well managed. I have described on these occasions in the

past the singularly efficient and responsive governance structure that Utah's judicial branch enjoys, with our elected Judicial Council to determine policy, our boards of judges to keep information flowing and to assess need and progress, and our highly professional administrative staff at every level. That structure was put in place twenty years ago with the significant 1985 amendments to the judicial article of our constitution, and it has served us well.

All of government exists to serve the people, and it is important to make room for the voice of the public in our deliberations. I have already described many of our efforts to reach out to the larger community and to the other branches of government as we assess the way we do things and consider how we might do them better. I am consistently amazed at and grateful for the generosity of people from outside the judiciary who contribute their time and their talent to improving the administration of justice. The countless hours of volunteer work on Supreme Court rules committees and Judicial Council rules, and on Judicial Council Committees and task forces, are one example. Other recent examples are worth mentioning. As the Judicial Council has focused this past year on the Office of the Guardian Ad Litem, we have, in accord with a recommendation made by your Auditor General, put in place an extraordinarily able group of citizens, lawyers, and non−lawyers to serve on an Oversight Board for the Guardian's Office. They bring a broad range of legal, child welfare and public policy expertise to their task; and they all serve as volunteers with nothing to gain but the best possible management and function of that important office. Feedback so far on their effectiveness has been very positive, and we appreciate the role that your work in the legislature has played in informing our planning.

One final example of citizen service is the Council's Citizen Committee on Judicial Compensation which undertook an independent assessment and analysis of judicial compensation for the use of the Legislature's Commission on Executive and Judicial compensation. Once again, I am grateful that people like attorney Kay Cornaby, who chaired the committee; Ralph Akin from St. George, an attorney and businessman; and Scott Anderson of Zions Bank have been willing to spend their time and expertise on an issue they believe has an impact on the future of Utah's judiciary. We are fortunate in this state, and we in the judiciary particularly, to be supported in our work by so many able people of good will who respect government and will lend their credibility and expertise to that work.

It is appropriate to complete this brief overview by telling you a little about what is on our agenda as we move forward into the new year. The Judicial Council is in the process of finalizing a series of measurement indicators that will allow us to gauge our progress in key areas. I would describe these core measures as analogous to the gauges in your car−"dashboard indicators"−to let us assess at regular intervals if we're moving in the right direction and at the right speed; for

example, we have already been focusing on time−to−disposition numbers for cases in the trial courts with very encouraging results. We continue to address, as does the rest of state government, the challenging issues posed by privacy concerns and public records. Also, along with the rest of state government, we are acutely aware of needs related to security, disaster preparedness and disaster recovery; and we have formed excellent working relationships with the Department of Public Safety and the Division of Homeland Security to work on those needs.

One other systemic concern is very high on the Judicial Council's agenda: the changing nature and role of Utah's Justice Courts. Three fourths of all cases in Utah's courts are filed in the justice courts; their impact on our citizens is enormous. The Judicial Council will be spending time in the coming year examining ways in which we can further strengthen these courts and contribute to enhanced public trust and confidence in their work.

This notion of trust in the courts is, of course, closely related to what the public and the other branches of government know and understand about the judicial branch and how it works. I have mentioned our efforts to govern ourselves in terms of operations and budgets in a very public, transparent way. But what goes on in individual courtrooms throughout the state is a huge part of the picture, and that part is harder to explain. We have been very grateful for the efforts of many legislators, including President Valentine and Speaker Curtis, to attend meetings of our boards of judges to talk about issues of mutual concern. Also extremely valuable have been court visits by individual legislators. Just last month Representatives Hogue and Harper, for example, devoted personal time to sitting in on various aspects of delinquency and child welfare cases, including mediations and case conferences, in the juvenile court. We hope that everyone who has participated in such an experience would tell you that they have gained an enhanced understanding of the process and the difficult policy dilemmas they face in crafting relevant legislation. We invite every one of you to come to court; let us know when you can come and what you'd like to see, and we will ensure that arrangements are made. For those of you who cannot manage a personal visit, we hope you will ask for "debriefings" from your colleagues who do.

For good or ill, the issues and problems your constituents and society at large encounter end up, in some form or another, in our courtrooms; and we welcome and want to support your opportunities to see how they play out in that forum. We appreciate the engagement of your leadership and of so many legislators on court−related committees and projects and the interest and support of the Governor and many executive branch agencies. Respect for government cannot be maintained without responsible government. We in the courts will continue to strive to be accountable to the people we serve by ensuring fairness, access, and

openness; by listening to the public's expressions of need and feedback on our work; by using public resources efficiently; and by explaining effectively why courts are essential in a fair and impartial democracy.

In my opening remarks I used the phrase, "the realization of the promise of our constitution." My use of the word "promise" in this context comes from a woman who is remembered as being both elegant and plain spoken, often at the same time. The late Congresswoman from Texas, Barbara Jordan, once said, "What the people want is simple. They want an America as good as its promise." I pledge to you that our courts will continue our efforts to provide the people what they want; we will continue to strive for courts as good as their promise of fairness, access, equal justice and efficiency.

We value our opportunities to work with you in this important enterprise and look forward to a productive 2006.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

ADVISE AND CONSENT

COMMUNICATIONS FROM THE GOVERNOR

Mr. President: November 28, 2005

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

SEVENTH DISTRICT COURT

George M. Harmond, Jr. is appointed as a Judge of the Seventh District Court. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

* * *

Mr. President: January 16, 2006

The Senate Judicial Confirmation Committee met on January 16, 2006 and unanimously reports a favorable recommendation for Mr. George M. Harmond, Jr.

to be confirmed to the position of District Court Judge in the Seventh Judicial District.

D. Chris Buttars
Committee Chair

* * *

On motion of Senator Hillyard, the Senate voted to approve the committee report on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

COMMITTEE OF THE WHOLE

On motion of Senator Buttars, Judge George M. Harmond, Jr. spoke in Committee of the Whole. Senators Buttars and Dmitrich commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 16, 2006

The Rules Committee recommends the following bills be placed on the Second Reading Calendar:

S.J.R. 1	Resolution Approving Reappointment of Director of Legislative Research and General Counsel (Sen. P. Knudson)
S.R. 1	Senate Rules Resolution − Consent Calendar Amendments (Sen. M. Waddoups)
S.J.R. 3	Interim Rules Resolution − Quorum Requirements (Sen. M. Waddoups)
S.J.R. 4	Interim Rules Resolution − Committee Powers (Sen. M. Waddoups)

S.B. 136	Tax on Insurance Premiums (Sen. C. Bramble)
S.B. 9	Open and Public Meetings Act Revisions (Sen. P. Hellewell)
S.B. 10	Provisional Ballot Amendments (Sen. P. Hellewell)
S.B. 11	Election Code Revisions (Sen. P. Hellewell)
S.B. 6	Health and Human Services Sunset and Reporting Amendments (Sen. A. Christensen)
S.B. 14	Insurance Department − Sunset Amendments and Revisions (Sen. S. Jenkins)
S.B. 17	Highway Transfer Process Amendments (Sen. C. Walker)
S.B. 1	State Agency and Higher Education Base Budget Appropriations (Sen. L. Hillyard)
S.B. 23	Office of Museum Services (Sen. P. Arent)
S.B. 25	Coordination with Tribal Leaders Amendments (Sen. B. Evans)
S.B. 27	Lake Powell Pipeline Development Act (Sen. T. Hatch)
S.B. 12	Electronic Meeting Amendment (Sen. L. Hillyard)
S.B. 20	Repeal of Utah Digital Signature Act (Sen. L. Hillyard)
S.B. 29	Sales and Use Tax Exemption − Telecommunications (Sen. C. Bramble)
S.B. 30	Sales and Use Tax Exemption for Semiconductor Fabricating, Processing, Research, or Development Materials (Sen. C. Bramble)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 16, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Health and Human Services

S.B. 7	Child Protection Amendments (Sen. G. Bell)
S.B. 19	Amendments to Indoor Clean Air Act (Sen. M. Waddoups)
S.B. 53	Adult Protective Services Amendments (Sen. A. Christensen)
S.B. 57	Telehealth for Rural Utah (Sen. B. Evans)

Education

S.B. 8	Care of Students with Diabetes in School (Sen. P. Arent)
S.B. 48	School Nurses Legislative Task Force (Sen. E. Mayne)
S.B. 56	Secondary School Amendments (Sen. D. C. Buttars)
S.B. 96	Public Education − Instruction and Policy Relating to the Origins of Life (Sen. D. C. Buttars)
S.B. 126	Transportation of Children in Kindergarten Through Sixth Grade (Sen. E. Mayne)

Government Operations/Political Subdivisions

S.B. 15	Grama Appeals Process and Document Request Amendments (Sen. D. Thomas)
S.B. 26	Administrative Rules Reauthorization (Sen. H. Stephenson)
S.B. 47	Restoration of Voting Rights Amendments (Sen. B. Goodfellow)

Transportation/Public Utilities/Technology

S.B. 13	Commercial Driver License Amendments (Sen. S. Killpack)
S.B. 18	Driving Under the Influence Amendments (Sen. C. Walker)
S.B. 63	Issuance and Display of License Plates (Sen. D. Eastman)
S.B. 118	Driving by Minors Amendments (Sen. K. Hale)

Judiciary, Law Enforcement, Criminal Justice

S.B. 16	Civil Antitrust Amendments (Sen. L. Hillyard)
S.B. 24	Weapons Amendments (Sen. M. Madsen)
S.B. 50	Jail Funding Amendments (Sen. D. Thomas)

Business and Labor

S.B. 21	Employment Security Amendments (Sen. J. Hickman)
S.B. 40	Mine Safety and Certificate Amendments (Sen. M. Dmitrich)
S.B. 140	Unlawful Outdoor Advertising Amendments (Sen. M. Waddoups)

Workforce Services and Community and Economic Development

S.B. 22	Department of Community and Culture Amendments (Sen. P. Knudson)
S.B. 112	Centers of Excellence Amendments (Sen. T. Hatch)

S.B. 120 Governor's Rural Partnership Board Amendments (Sen. T. Hatch)

Revenue and Taxation

S.B. 31 Sales and Use Tax − Manufacturing Exemptions Amendments (Sen. H. Stephenson)

S.B. 32 Multi−channel Video or Audio Service Tax − County or Municipality Franchise Fee Tax Credit (Sen. B. Goodfellow)

S.B. 33 Sales and Use Tax Exemptions for Certain Business Inputs (Sen. H. Stephenson)

S.B. 34 Gross Receipts Tax Amendments, Repeal and Public Utility Tariffs (Sen. M. Dmitrich)

S.B. 35 Local Option Sales and Use Tax Distribution Amendments (Sen. G. Bell)

S.B. 36 School Districts − Limited Amendments to Truth in Taxation (Sen. M. Dmitrich)

S.B. 37 Income Tax − Taxation of Individuals, Estates, and Trusts (Sen. L. Hillyard)

S.B. 38 Individual Income Taxation of Certain Trust Distributions (Sen. L. Hillyard)

Natural Resources, Agriculture and Environment

S.B. 45 Oil and Gas Conservation Account Amendments (Sen. M. Dmitrich)

S.B. 111 Water Conservancy District Amendments (Sen. T. Hatch)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

Mr. President: January 16, 2006

The Rules Committee recommends **S.B. 41,** Restrictions on Use of Physician Disclosures, by Senator D. Thomas, be replaced and recommends that **1st Sub. S.B. 41,** Restrictions on Use of Physician Disclosures, by Sen. D. Thomas, be

assigned to the Judiciary, Law Enforcement and Criminal Justice Standing Committee.

Michael Waddoups

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

On motion of Senator Knudson, under suspension of the rules, the 24−hour rule was waived for consideration **S.J.R. 1.**

SECOND READING CALENDAR

On motion of Senator Knudson, under suspension of the rules, **S.J.R. 1**, RESOLUTION APPROVING REAPPOINTMENT OF DIRECTOR OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL, was considered read the second and third times. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

S.J.R. 1 was transmitted to the House.

* * *

On motion of Senator Knudson and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 17, 2006.

JANUARY 17, 2006

SECOND DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Imam Shuaib Din, Nation of Islam
Pledge of Allegiance − Senator Scott Jenkins
Roll Call − All Senators present except Senators Evans and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 16, 2006

The House passed **H.B. 20**, COMMERCIAL DRIVER TRAINING SCHOOL ACT AMENDMENTS, by Representative J. Dunnigan, et al, and it is transmitted for consideration; and

The House passed **H.B. 33**, INSURANCE RELATED INVESTMENT AMENDMENTS, by Representative J. Dunnigan, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 20, H.B. 33,** and **H.J.R. 3** were read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 64, **Legislative Compensation Commission Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 141, **Response to HIPAA Changes** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 142, **Information Available to Senate Judicial Confirmation Committee** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 143, **Revisor's Statute** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 144, **Child Care Exemptions Amendments** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 145, **Regulation of Direct Pathology Billing** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 146, **Physician Assistants and Public Health Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 147, **Division of Consumer Protection Amendments** (D. Eastman), read the first time by short title and referred to the Rules Committee.

S.B. 149, **Providing for Indigent Defense** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.J.R. 7, **Joint Rules Resolution Amending Legislative Expenses** (G. Bell), read the first time by short title and referred to the Rules Committee.

SECOND READING CALENDAR

S.R. 1, SENATE RULES RESOLUTION − CONSENT CALENDAR AMENDMENTS, was read the second time.

On motion of Senator Waddoups, the bill was circled.

* * *

S.J.R. 3, INTERIM RULES RESOLUTION − QUORUM REQUIREMENTS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Eastman	Evans	Mansell

* * *

S.J.R. 4, INTERIM RULES RESOLUTION − COMMITTEE POWERS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Eastman	Evans	Killpack	Mansell

* * *

S.B. 136, TAX ON INSURANCE PREMIUMS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Eastman	Evans	Killpack	Mansell

* * *

S.B. 9, OPEN AND PUBLIC MEETINGS ACT REVISIONS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Eastman	Evans	Killpack	Mansell

* * *

S.B. 10, PROVISIONAL BALLOT AMENDMENTS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Eastman	Evans	Killpack	Mansell

* * *

S.B. 11, ELECTION CODE REVISIONS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Eastman	Evans	Killpack	Mansell

* * *

S.B. 6, HEALTH AND HUMAN SERVICES SUNSET AND REPORTING AMENDMENTS, was read the second time. Senator Christensen explained the bill. Senator McCoy commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Evans	Killpack	Mansell

* * *

S.B. 14, INSURANCE DEPARTMENT − SUNSET AMENDMENTS AND REVISIONS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Evans	Killpack	Mansell

* * *

S.B. 17, HIGHWAY TRANSFER PROCESS AMENDMENTS, was read the second time. Senator Walker explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Evans	Mansell

* * *

S.B. 1, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Evans	Mansell	Mayne	Stephenson

* * *

S.B. 23, OFFICE OF MUSEUM SERVICES, was read the second time. Senator Arent explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Evans	Mansell	Mayne
Stephenson			

* * *

S.B. 25, COORDINATION WITH TRIBAL LEADERS AMENDMENTS, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 27, LAKE POWELL PIPELINE DEVELOPMENT ACT, was read the second time. Senator Hatch explained the bill. Senators Hillyard, Bell, and Jenkins commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Evans	Mansell

* * *

S.B. 12, ELECTRONIC MEETING AMENDMENT, was read the second time. Senator Hillyard explained the bill. Senators Bell, Arent, and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Madsen	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Buttars	Hickman	Killpack	Knudson
Stephenson			

Absent or not voting were: Senators

Evans	Mansell

* * *

S.B. 20, REPEAL OF UTAH DIGITAL SIGNATURE ACT, was read the second time. Senator Hillyard explained the bill. Senator Knudson commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Evans Mansell

* * *

S.B. 29, SALES AND USE TAX EXEMPTION − TELECOMMUNICATIONS, was read the second time. Senator Bramble explained the bill. Senators Hillyard, Hickman, Mayne, and Knudson commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Hickman

Absent or not voting were: Senators
Evans Mansell

* * *

S.B. 30, SALES AND USE TAX EXEMPTION FOR SEMICONDUCTOR FABRICATING, PROCESSING, RESEARCH, OR DEVELOPMENT MATERIALS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Evans Mansell

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 17, 2006

The House passed **H.B. 11**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, and it is transmitted for consideration; and

The House passed **H.B. 29**, TOWNSHIP AMENDMENTS, by Representative L. Christensen, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 11** and **H.B. 29** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson and at 11:40 a.m., the Senate adjourned until 10:00 a.m., Wednesday, January 18, 2006.

JANUARY 18, 2006

THIRD DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − James Pugh, Executive Director of the Utah Food Bank
Pledge of Allegiance − Senator Allen Christensen
Roll Call − All Senators present.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 17, 2006

The House passed **H.B. 21**, CHILD WELFARE REVISIONS, by Representative W. Harper, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 43**, SUNSET REVIEW AND REAUTHORIZATIONS, by Representative J. Alexander, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 21** and **H.B. 43** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 17, 2006

The Rules Committee recommends the following bill be placed on the Second Reading Calendar:

S.B. 3 Minimum School Program Base Budget Amendments (Sen. H. Stephenson)
S.B. 143 Revisor's Statute (Sen. M. Waddoups)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 17, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 44	Home Inspection Standards (Sen. S. McCoy)
S.B. 58	Alcoholic Beverage Amendments − Eliminating Alcohol Sales to Youth (Sen. P. Knudson)
S.B. 92	Licensure of Crane Operators (Sen. G. Davis)
S.B. 107	Title to Manufactured Housing or Mobile Homes (Sen. T. Hatch)
S.B. 108	Ethics in Dental Advertising (Sen. P. Knudson)
S.B. 115	Continuing Education in Insurance (Sen. T. Hatch)
S.B. 130	Joint Tenancy Amendments (Sen. T. Hatch)
S.B. 137	Business Organization and Division of Corporations and Commercial Code Amendments (Sen. G. Bell)

Government Operations/Political Subdivisions Committee

S.B. 55	Election Reform (Sen. L. A. Mansell)
S.B. 59	Purchasing from People with Disabilities Amendments (Sen. S. Killpack)
S.B. 99	County Recorder Amendments (Sen. D. Thomas)
S.B. 100	County Officer Amendments (Sen. D. Thomas)
S.B. 110	Protection of Certain Voter Information (Sen. L. Hillyard)
S.B. 113	Governmental Immunity Limits (Sen. H. Stephenson)
S.B. 132	Surplus Property Amendments (Sen. P. Knudson)

Health and Human Services Committee

S.B. 95	Psychologist Licensing Act Amendments (Sen. E. Mayne)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 61	Uniform Mediation Act (Sen. L. Hillyard)
S.B. 62	Judicial Conduct Commission Amendments (Sen. M. Waddoups)
S.B. 125	Malik's Law − Homicide Amendment (Sen. F. Fife)

Revenue and Taxation Committee

S.B. 28	Sales and Use Tax − Exemption for Isolated or Occasional Sales (Sen. L. Hillyard)

Transportation/Public Utilities/Technology Committee

S.B. 51	Driving with a Controlled Substance in the Body − Amendments (Sen. C. Walker)
S.B. 54	Revenue Flow from Speeding Violations (Sen. J. Hickman)
S.B. 138	Traffic Tickets and Convictions (Sen. D. C. Buttars)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 17, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 21**, EMPLOYMENT SECURITY AMENDMENTS, by Senator J. Hickman, et al; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 40**, MINE SAFETY AND CERTIFICATE AMENDMENTS, by Senator M. Dmitrich.

Scott K. Jenkins, Chair

Mr. President: January 17, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 7**, CHILD PROTECTION AMENDMENTS, by Senator G. Bell; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 57**, TELEHEALTH FOR RURAL UTAH, by Senator B. Evans.

Allen M. Christensen, Chair

Mr. President: January 17, 2006

The Education Committee reports a favorable recommendation on **S.B. 8**, CARE OF STUDENTS WITH DIABETES IN SCHOOL, by Senator P. Arent; and

The Education Committee reports a favorable recommendation on **S.B. 48**, SCHOOL NURSES LEGISLATIVE TASK FORCE, by Senator E. Mayne; and

The Education Committee reports a favorable recommendation on **S.B. 96**, PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF LIFE, by Senator D. C. Buttars.

David L. Thomas, Chair

Mr. President: January 17, 2006

The Transportation and Public Utilities and Technology Committee recommends **S.B. 13**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Senator S. Killpack, be replaced and favorably recommends **1st Sub. S.B. 13**, COMMERCIAL DRIVER LICENSE AMENDMENTS; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 18**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, with the following amendments:

1. Page 1, Lines 10 through 12:

10 This bill modifies the Motor Vehicles Code, the State Affairs in General Code, the Criminal Code, and the

11 Code of Criminal Procedure by amending provisions related to driving under the

12 influence violations.

2. Page 2, Lines 47 through 48:

47 63−55b−177, as enacted by Chapter 228, Laws of Utah 2004
76−5−207, as last amended by Chapter 2, Laws of Utah 2005

48 77−2a−3 (Effective 07/01/06), as last amended by Chapters 203 and 228, Laws of Utah

3. Page 14, Line 422:

422 Section 77−2a−3.1 is repealed June 30, [~~2006~~] 2008.
Section 8. Section 76−5−207 is amended to read:
76−5−207. Automobile homicide.
(1) As used in this section, “motor vehicle” means any self−propelled vehicle and includes any automobile, truck, van, motorcycle, train, engine, watercraft, or aircraft.
(2) (a) Criminal homicide is automobile homicide, a third

degree felony, if the person operates a motor vehicle in a negligent manner causing the death of another and:

(i) has sufficient alcohol in his body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;

(ii) is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle; or

(iii) has a blood or breath alcohol concentration of .08 grams or greater at the time of operation.

(b) A conviction for a violation of this Subsection (2) is a second degree felony if it is subsequent to a conviction as defined in Subsection {~~41−6a−502~~} 41−6a−501 (2).

(c) As used in this Subsection (2), “negligent” means simple negligence, the failure to exercise that degree of care that reasonable and prudent persons exercise under like or similar circumstances.

(3) (a) Criminal homicide is automobile homicide, a second degree felony, if the person operates a motor vehicle in a criminally negligent manner causing the death of another and:

(i) has sufficient alcohol in his body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;

(ii) is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle; or

(iii) has a blood or breath alcohol concentration of .08 grams or greater at the time of operation.

(b) As used in this Subsection (3), “criminally negligent” means criminal negligence as defined by Subsection 76−2−103(4).

(4) The standards for chemical breath analysis as provided by Section 41−6a−515 and the provisions for the admissibility of chemical test results as provided by Section 41−6a− 516 apply to determination and proof of blood alcohol content under this section.

(5) Calculations of blood or breath alcohol concentration under this section shall be made in accordance with Subsection 41−6a−502(1).

(6) The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense.

(7) Evidence of a defendant’s blood or breath alcohol content or drug content is admissible except when prohibited by Rules of Evidence

or the constitution.

Renumber remaining sections accordingly; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 118**, DRIVING BY MINORS AMENDMENTS, by Senator K. Hale.

Sheldon L. Killpack, Chair

Mr. President: January 17, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 16**, CIVIL ANTITRUST AMENDMENTS, by Senator L. Hillyard.

D. Chris Buttars, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 21, S.B. 40, S.B. 7, S.B. 19, S.B. 57, S.B. 8, S.B. 48, S.B. 96, lst Sub. S.B. 13, S.B. 18,** as amended, **S.B. 118,** and **S.B. 16** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 65, **Wildland Fire Suppression Amendments** (D. Thomas), read the first time by short title and referred to the Rules Committee.

S.B. 66, **Price Controls During Emergencies Amendments** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.B. 67, **Conservation Easement Restricted Accounts** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 68, **Plumbing License Qualifications Amendments** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 69, **Protection of Information in Consumer Credit Databases** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 70, **Process for Approval of Waste Disposal Amendments** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 148, **Punitive Damages − Discovery of Wealth** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 150, **Expungement Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 151, **Property Tax − Notice and Hearing Amendments** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 152, **Medicaid Task Force** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 153, **Uniform Environmental Covenants Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 154, **Sales and Use Tax Exemption for Certain Admissions to or Rights to Use the Premises of a Private Club** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.J.R. 3, INTERIM RULES RESOLUTION − QUORUM REQUIREMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.J.R. 3 was transmitted to the House for consideration.

* * *

S.J.R. 4, INTERIM RULES RESOLUTION − COMMITTEE POWERS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.J.R. 4 was transmitted to the House for consideration.

* * *

S.B. 136, TAX ON INSURANCE PREMIUMS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Mansell

Senator Hatch declared a conflict of interest.

S.B. 136 was transmitted to the House for consideration.

* * *

S.B. 9, OPEN AN D PUBLIC MEETINGS ACT REVISIONS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Mansell

S.B. 9 was transmitted to the House for consideration.

* * *

S.B. 10, PROVISIONAL BALLOT AMENDMENTS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Mansell

S.B. 10 was transmitted to the House for consideration.

* * *

S.B. 11, ELECTION CODE REVISIONS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins

Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Mansell

S.B. 11 was transmitted to the House for consideration.

* * *

S.B. 6, HEALTH AND HUMAN SERVICES SUNSET AND REPORTING AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Mansell

S.B. 6 was transmitted to the House for consideration.

* * *

S.B. 14, INSURANCE DEPARTMENT − SUNSET AMENDMENTS AND REVISIONS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins

Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Mansell

S.B. 14 was transmitted to the House for consideration.

* * *

S.B. 17, HIGHWAY TRANSFER PROCESS AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

S.B. 17 was transmitted to the House for consideration.

* * *

S.B. 1, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 1 was transmitted to the House for consideration.

* * *

S.B. 23, OFFICE OF MUSEUM SERVICES, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 23 was transmitted to the House for consideration.

* * *

S.B. 27, LAKE POWELL PIPELINE DEVELOPMENT ACT, was read the third time and explained by Senator Hatch. Senator Davis commented and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 27 was transmitted to the House for consideration.

* * *

S.B. 12, ELECTRONIC MEETING AMENDMENT, was read the third time, explained by Senator Hillyard.

Senator Bramble proposed the following amendment:

1. Page 1, Line 13:
   Delete "adopted" and replace with "adopt"

Senator Bramble's motion to amend passed on a voice vote.

Senators Bramble and Killpack commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman	Mansell

S.B. 12, as amended, was transmitted to the House for consideration.

* * *

S.B. 20, REPEAL OF UTAH DIGITAL SIGNATURE ACT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 20 was transmitted to the House for consideration.

* * *

S.B. 29, SALES AND USE TAX EXEMPTION − TELECOMMUNICATIONS, was read the third time and explained by Senator Bramble. Senator Hillyard commented.

On motion of Senator Bramble, the bill was circled.

* * *

S.B. 30, SALES AND USE TAX EXEMPTION FOR SEMICONDUCTOR FABRICATING, PROCESSING, RESEARCH, OR DEVELOPMENT MATERIALS, was read the third time and explained by Senator Bramble. Senator Eastman commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Evans Mansell

Senator Bramble declared a conflict of interest.

S.B. 30 was transmitted to the House for consideration.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 17, 2006

The House passed **H.B. 18**, UNEMPLOYMENT COMPENSATION − SOCIAL SECURITY OFFSET, by Representative D. Cox, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 23**, OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS, by Representative W. Harper, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 18** and **H.B. 23** were read the first time and referred to the Rules Committee.

SECOND READING CALENDAR

On motion of Senator Waddoups, the circle was removed from **S.R. 1**, SENATE RULES RESOLUTION − CONSENT CALENDAR AMENDMENTS, and it was before the Senate. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Killpack	Madsen	Mansell
Stephenson			

* * *

On motion of Senator Evans, the circle was removed from **S.B. 25**, COORDINATION WITH TRIBAL LEADERS AMENDMENTS, and it was before the Senate. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Buttars	Killpack	Mansell	Walker

* * *

On motion of Senator Knudson, under suspension of the rules, the 24−hour rule was waived for consideration of bills on the Second Reading Calendar.

* * *

S.B. 3, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, was read the second time. Senator Stephenson explained the bill.

Senator Stephenson proposed the following amendment:

1. Page 5, Lines 123 through 129

123 (2) The monies appropriated in Subsection (1) shall be used to provide:

124 (a) signing bonuses to attract new teachers who have at least a baccalaureate degree in

125 mathematics, physics, chemistry, physical science, learning technology, {~~or~~} information

126 technology , or special education ; or

127 (b) scholarships for teachers to cover tuition costs for a master's degree, an

128 endorsement, or graduate education in mathematics, physics, chemistry, physical science,

129 learning technology, or information technology , or special education .

Senator Stephenson's motion to amend passed on a voice vote. Senators Hillyard, Fife, Hale, Evans, and Eastman commented. Senator Killpack declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

* * *

S.B. 143, REVISOR'S STATUTE, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

* * *

S.B. 21, EMPLOYMENT SECURITY AMENDMENTS, was read the second time. Senator Hickman explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

* * *

S.B. 40, MINE SAFETY AND CERTIFICATE AMENDMENTS, was read the second time. Senator Dmitrich explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

* * *

S.B. 7, CHILD PROTECTION AMENDMENTS, was read the second time. Senator Bell explained the bill. Senators Hellewell and Madsen commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator Dmitrich

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 17, 2006

The House passed, as amended, **H.B. 25**, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, by Representative W. Harper, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 25** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, the State of the State Address by Governor Jon M. Huntsman Jr., shall be spread upon the pages of the Senate Journal.

STATE−OF−THE−STATE ADDRESS BY GOVERNOR JON M. HUNTSMAN, JR.

Lt. Governor Gary and Jeanette Herbert

President John and Karen Valentine

Speaker Greg and Teresa Curtis

Chief Justice Christine Durham and members of the Utah Supreme Court

Members of the Legislature

Guests and my fellow Utahns,

I begin tonight by recognizing our First Lady, Mary Kaye, whose support, hard work, and commitment to service make all of us proud.

I also express a deep and heartfelt thanks to each of you for giving me the honor of a lifetime−−that of serving you as your Governor. Thank you for your trust, support, constructive criticism, and interest.

To the Legislature, I truly appreciate the partnership that I have with you. There may be differences in how we see the world, but the bonds that unite us are many.

Tonight we are gathered to participate in the annual review of our state as called for by the Utah Constitution. As we begin what could be an historic legislative session, I am proud to report that the state of our state is exceptionally strong.

Last year we met in the Territorial Capitol in Fillmore and recognized the contributions that so many have made to make Utah a success, whether they were pioneers, miners, sixth−generation Utahns like my parents, or newcomers like my in−laws.

This year, I thought it would be appropriate to gather here at Washington Elementary School in Bountiful to share a vision of a future where we work together to build a hopeful foundation for Utah's next generation.

Before we look ahead, let me thank those who wear our nation's uniform as members of our armed forces.

We have a special place in our hearts for those who serve, particularly for those who have given the ultimate sacrifice in preserving our nation's values. We salute your service and reverence your commitment.

My direction as Governor is simple and focused: First, to seek enhanced economic freedom for all Utah citizens; second, to ensure our education system matches our children's dreams with their unique, individual abilities; third, to provide a transportation system that will allow our state to maintain its position as home to America's best quality of life; and fourth, to leave to our posterity the greatest legacy of all−a sense of humanity and respect for our land and our way of life.

Utah's economy has fully recovered and is strong. Unemployment rates and job creation are at near historic levels. Businesses like Adam Aircraft, Cabella's and Rossignol Ski Company located to our great state. They have found something in Utah that does not exist elsewhere and have decided to make it their home.

Utah−born entities like Ogio, Merit Medical, and Sky West continue to expand and create more jobs. Recently, *Fast Company* magazine listed our capitol city as one of the nation's hottest business destinations. This label is applicable statewide. Others, including our competitors, are quickly learning that something important is happening here.

I also express thanks to the great efforts of many Northern Utah workers and United States Air Force personnel; Hill Air Force Base will remain open. By keeping Hill open, we have not only avoided what could have become an economic disaster for our state, we have preserved an opportunity for thousands of Utahns to contribute meaningfully to the security of our nation. We thank them, and our grateful nation salutes them.

With the eyes of the world on our economic accomplishments, now is the time to build on this success, create more high−paying jobs, and thereby provide greater economic freedom for our citizens.

It is important to send a signal about our commitment to long−term competitiveness. One important way we can become more competitive is to reform our antiquated tax code.

First, we need a personal income tax system that is simpler, flatter, and fairer. We need to provide one of the lowest income tax rates in the West−and one that leaves more money in the pockets of taxpayers.

The income tax funds public education. We must therefore commit to long−term growth and sustainability such that our schools are adequately funded. I emphatically urge that legislators approve a flatter personal income tax rate that would lower the percentage an individual pays from seven percent to five percent. It is the wise thing to do and now is the time to act.

The time is also right to take a look at another onerous tax. Speaker Greg Curtis and I were recently discussing the history of the sales tax in this state. We agree that there was a chapter opened in our state's tax history seventy−three years ago that now needs to be closed.

During the early 1930s Utah's fiscal house was in chaos. Half of all property owners could not pay their property taxes. Families were devastated as numerous farms, homes, and businesses were forced into foreclosure. The State was facing bankruptcy. In desperation, the Legislature gave Governor Henry Blood the authority to impose a tax on the one thing people had to purchase in order to survive: food. Taxing food was a drastic measure adopted as a temporary fix for a very different time.

Like so many "temporary" public−policy fixes, the initial reason for adopting this measure has come and gone but the tax has remained. Seven decades later it continues to burden our most vulnerable citizens.

I have good news tonight. The Great Depression is long gone, and our state is in strong fiscal shape.

By making modest adjustments to our allocation of existing revenue streams−for example, by increasing the share of sales−tax revenue retained by local governments, by collecting sales tax already due our state from online purchases, by using anticipated new revenue from economic growth, and by tapping into funds I have already set aside in my budget−we can provide Utahns immediate relief at the checkout counter. Now is the time and this is the session to remove the sales tax on food!

Our state can be both competitive and compassionate as we revise our tax code to be more family friendly and fiscally responsible. Reforming the tax code, however, is not enough to secure our long−term economic prosperity.

Securing our long−term prosperity will require both a strong commitment to education and a focus on innovation to make certain the next generation can achieve their dreams here in Utah.

In the early 1970s Governor Calvin Rampton and Utah Legislators, including Senator Mike Dmitrich, established Research Park near the University of Utah. This revolutionary concept coupled the great ideas from researchers and academics with the keen commercial sense of entrepreneurs and skilled workers from our state.

The result of this coupling was groundbreaking. This "research−plus−business" combination led to the establishment of world−class businesses like Evans & Sutherland, NPS Pharmaceuticals, and Myriad Genetics. It also led to critically important research in cancer treatment, diabetes, genetics, as well as the robotic arm just to name a few. It was a risk that has paid great dividends for Utahns and for humankind.

Today it is time to invest in the next generation of world−renown Utah innovation and ideas. As Winston Churchill said, "the empires of the future are the empires of the mind." We now have the opportunity once again to be bold and visionary as we move toward the next generation of knowledge−based, high−paying jobs. Utah can lead the nation in areas where we have comparative research advantages.

USTAR−the Utah Science, Technology, and Research Initiative−will capitalize on the unique resources of our state, such as the Utah Population Database, Genomics, Informatics, Personalized Medicine, and the talented faculty and students at the University of Utah and Utah State University. We will be uniquely positioned to produce the next generation of both life−saving discoveries and award−winning researchers if we will take this crucial step forward.

This session I ask you to pass the legislation sponsored by Senator Al Mansell and Representative David Clark to make USTAR a brilliant reality!

Second, we must focus on education. It is important to take the necessary steps to ensure that our education system matches the individual dreams and abilities of each child. As the parents of six children, Mary Kaye and I know that each child approaches the classroom differently.

Last year our state took a significant step forward in recognizing those differences when we enacted the Carson Smith Special Needs Bill. We must also provide our educators, like Principal Carolyn Ingles and her faculty here at Washington Elementary, greater resources to meet the unprecedented needs of our growing student population. That is why I have proposed a 5.5 percent increase in the amount of money we provide for each student.

During the holidays I had the wonderful opportunity to have my whole family living under the same roof again. I have often quipped that, while not a professional educator myself, I have been running my own clinical trials at home with children now in elementary, middle, high school, and college−each with unique personalities and abilities.

We recognize that today's youth will, on average, hold several jobs during the course of their careers, unlike earlier generations. This is a profound change in the training they will need as they prepare for the marketplace. While we cannot predict the job opportunities that our kids might encounter in the future, we can clearly make sure that they are prepared for a lifetime of learning.

The best way to accomplish this objective is to ensure that they develop a passion for knowledge. This passion must develop in a student's career, and it must reflect the increasingly important role that teachers will play in providing the necessary environment in which their students learn.

We have the need, we now have the resources, and it is time to act to make certain that Utah students are receiving a world−class education—one that will make them competitive with students from California to Connecticut and from Beijing to Brussels, and one that will help fuel their passions to ensure a generation of life−long learners.

Of course, increased funding alone is not enough to make certain that our children will thrive in the classroom. A particular group of our students are struggling with the fundamentals of literacy and numeracy.

If we do not help them in their early years, they will struggle to survive academically and many will fall through the cracks and end up short of their true

potential. We can provide more for them now, and by so doing help eliminate any learning achievement gaps in their future.

That is why I propose a seven million dollar voluntary, all−day kindergarten program in our Title I schools like Washington Elementary here in Bountiful. Our students who desire extra assistance need it early in their academic careers. Test scores of kindergarten students at Parkview and Bennion Elementary in Salt Lake City, where all−day programs are available, tell a story of success. Our goal is simple: We want to encourage all of our students to become lifelong learners.

Good teachers are critical to turning this goal into a reality. In recognition of that fact, I am seeking funding to enhance teacher training and incentives in the areas of math and science during the fourth, fifth and sixth grades. Just as students in early grades need to master reading, children who are preparing to enter junior high school need to master the basic fundamentals of math and science. This is not all. We must carefully expand on the success of our many public charter schools.

All parents and educators must be willing to challenge our students with a more robust and rigorous curriculum. Building intellectual infrastructure by way of brainpower−whether at the elementary, secondary, or higher education level−is as crucial to our state's success as building roads, bridges, and dams. If we fail our children, we have failed our future.

Third, we need a transportation system that meets our commitment to having the best quality of life in America. Our legislative hosts here in Bountiful, Senator Dan Eastman and Representative Sheryl Allen−working together with many others who are with us tonight−recently helped us reach across a divide and finally resolve a longstanding impasse.

There were many who said it could not, would not, be done; however, thanks to many of you, traffic will soon flow on the Legacy Parkway!

Building the Legacy Parkway is but one small part of our overall transportation plan. We must continue to invest in roads and rails so that our quality of life is not unduly limited by the amount of time we spend stuck in traffic. We must preserve routes for future roads, plan for public−private partnerships, and enhance the use of High Occupancy Vehicle lanes for hybrid or environmentally friendly vehicles.

In short, we cannot have sustained economic prosperity without an adequate transportation system. As the fifth−fastest−growing state in the nation, we are adding the population equivalent of one City of Ogden per year. We cannot afford to stand back and watch traffic gridlock increase.

Just like education, when it comes to funding transportation, we must begin to pay now or we will all pay dearly in the future. My budget calls for unprecedented increases in transportation funding. When it comes to improving old roads and investing in new ones, the time is now!

Prior to being elected as Governor, I was involved in running a business where I learned some very valuable lessons. For example, when times were good, there was often a temptation to spend the profit on things that did not necessarily benefit the company. The prudent course was always to reinvest a large portion of the profit back into the basic infrastructure that produced the company's products. This is known as "maintenance capital."

We are now in a position to help catch up on some "deferred maintenance" in our state and invest maintenance capital in vital areas such as education, transportation and reformation of our Elvis−era tax system.

There is a clear difference between "growing government" and "maintenance capital." Growth in government occurs when we increase the number of full−time state employees as a percentage of overall population.

Even though our state's population grew by a staggering 3.2 percent last year, this year I recommend that we increase the number of full−time state employees by no more than 1.3 percent.

If Utah is to remain competitive, if we are to lead the way in promoting education, utilizing technology, and enhancing our transportation systems, it is essential that we invest our maintenance capital wisely.

Fourth, we need to create an environment that will leave the greatest legacy of all: A sense of humanity and respect for our land.

I have had many opportunities to visit our vast and diverse state this past year. I have enjoyed an early morning breakfast on the Fourth of July in Blanding. I have traveled to historic Range Creek with Senator John Valentine and Representative Brad King. And I have toured Utah's remote West Desert with Cecil Garland, a rancher who loves the land and served as my guide. These and many other experiences have confirmed for me what we all know: Utahns love this land we call our home and we will fight to protect it!

When Utahns stand united, we get results. For over three decades, uranium mill tailings have sat precariously close to the banks of the Colorado River near Moab, endangering the lives of our citizens and our lands. This past year, with the help of U.S. Energy Secretary Sam Bodman and with the assistance of members of

our congressional delegation, our state received a commitment that the tailings finally will be moved!

Thanks to the work of so many, we reached and agreement early last year that ensures class B and C radioactive waste will not find a home in Utah.

Even more recently, working closely with Congressman Rob Bishop and other members of our congressional delegation, we were successful in getting Congress to pass legislation that created the Cedar Mountain Wilderness Area. Many said the opposition was too great, the fight a waste of resources−a losing battle. The Goliaths were supposedly going to roll right over us and win.

The Cedar Mountain Wilderness legislation, which was signed into law by President Bush two weeks ago, not only makes it extremely difficult for anyone to bring spent nuclear fuel into Skull Valley, it also preserves the integrity of the Utah Test and Training Range, the only military installation of its kind in the United States.

I have a message for the nuclear waste folks who want to use our pristine state as a dumping ground: We do not produce spent nuclear fuel, we do not benefit from it, and we will not store this deadly material in Utah!

As we look toward enhancing our environment, we are mindful of our needs for the future. Southern Utah is one of the fastest−growing areas in the United States and we must secure the needs of our citizens there. My budget calls for lifting the current caps on water−project funding which will allow us to expedite critical projects like the Lake Powell pipeline.

As your Governor, I am committed to responsible development of our energy resources and having an energy policy that meets our economic−development objectives. The advent of new and exciting technologies means that we are poised to enter a new era of energy development and growth.

I recently toured the oil fields located in Duchesne and Uintah Counties. Hundreds of new oil and gas wells dot the landscape. Representatives Gordon Snow and John Mathis told me that so many out−of−state workers have moved into the area that it is almost impossible to find a motel room. They and Senator Beverly Evans stressed the need to complete a Utah College of Applied Technology building in Vernal so that Utah residents can be better trained to enter the exploding job market there. I agree.

As the Chief Executive of our state, I pledge to continue working to ensure that the safety and well−being of our citizens are never compromised. We learned

from the Katrina disaster that preparation is crucial. We will never forget the images we all witnessed on our televisions−strangers hanging on to one another for comfort and support with nothing to protect them from certain death except a rooftop of some nondescript building.

We watched when camouflage−clad guardsmen and women, including some from our own state, finally swept in with their protective gear, waded through chest−deep, toxic waters with grateful strangers in their arms, and carried them off to safety. I was proud of our own state employees and citizens who swung into action at a moment's notice to provide critical care and support as hundreds of those evacuees made their way into our state.

Rest assured that, as a state, we are better prepared than ever before for any such catastrophic event. I have already spoken with Health and Human Services Secretary Mike Leavitt about hosting, in collaboration with our Department of Health a Governor's Summit in March to prepare for any possible avian flu pandemic. On this important issue we in Utah will lead out rather than stand back and react.

Before I close I want to take a moment to thank our state employees. Whether it is Trooper Kevin Bradshaw, who patrols U.S. 89 through Fairview; Priya Noronha, a Human Services caseworker who is helping families devastated by meth addiction; or Steven Niebergall, a Utah Department of Transportation engineer who is working on the reconstruction of Interstate 84 in Morgan County, we appreciate your work and the work of your colleagues. We are anxious to make certain you receive the compensation you deserve.

Many find the world today complex, confusing, and even frightening; but let me reassure you that in Utah our minds can be put at ease. Our state can compete in any market in the world.

As we continue to preserve freedom, value education, and embrace technology, there will be no reason why our land−locked state cannot compete with any bustling port city in America, Asia, or Europe. To paraphrase my son, Will, Utah rocks!

Let us never forget that in spite of all we do as a state, the center of our universe is not in the Governor's Office, the Legislature, our businesses, or our schools; the center of our universe is in our respective homes.

It is in our homes that dreams are born, nurtured, realized, and eventually replaced by more dreams. Our commitment to our homes and each other ensures that our dreams will never be outnumbered by our memories.

May God bless the sovereign State of Utah and the United States of America.

* * *

On motion of Senator Knudson and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Thursday, January 19, 2006.

JANUARY 19, 2006

FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:25 a.m., with President John Valentine presiding.

Prayer − Senator Greg Bell
Pledge of Allegiance − Senator David Thomas
Roll Call − All Senators present except Senator Peterson, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

The House passed, as amended, **H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, and it is transmitted for consideration; and

The House passed **H.B. 71**, ECONOMIC DEVELOPMENT − SUNSET MODIFICATIONS, by Representative P. Wallace, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 16** and **HB. 71** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 18, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 108**, ETHICS IN DENTAL ADVERTISING, by Senator P. Knudson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 115**, CONTINUING EDUCATION IN INSURANCE, by Senator T. Hatch; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 130**, JOINT TENANCY AMENDMENTS, by Senator T. Hatch.

Scott K. Jenkins, Chair

Mr. President: January 18, 2006

The Education Committee reports a favorable recommendation on **S.B. 56**, SECONDARY SCHOOL AMENDMENTS, by Senator D. C. Buttars, with the following amendments:

1. Page 2, Line 54 through Page 3, Line 59:

54 (1) (a) A public school shall accept credits awarded to a student by a school accredited

55 or approved by the State Board of Education or { ~~a regional accrediting body recognized by the~~

56 ~~U.S. Department of Education~~ } by the Association of Accredited Schools as either core curriculum or elective credit, except as provided

57 in Subsection (1) { ~~(b)~~ } (c) .
(b) A public school shall accept credits from supplemental education providers and other credit sources with written approval from the student's principal or designee.

58 { ~~(b)~~ } (c) Credits awarded for a core curriculum course shall be applied to fulfilling core

59 curriculum requirements, if the course is substantially aligned with the standards and objectives

David L. Thomas, Chair

Mr. President: January 18, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 53**, ADULT PROTECTIVE SERVICES AMENDMENTS, by Senator A. Christensen; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 95**, PSYCHOLOGIST LICENSING ACT AMENDMENTS, by Senator E. Mayne.

Allen Christensen, Chair

Mr. President: January 18, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 15**, GRAMA APPEALS PROCESS AND DOCUMENT REQUEST AMENDMENTS, by Senator D. Thomas; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 26**, ADMINISTRATIVE RULES REAUTHORIZATION, by Senator H. Stephenson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 47**, RESTORATION OF VOTING RIGHTS AMENDMENTS, by Senator B. Goodfellow.

Parley G. Hellewell, Chair

Mr. President: January 18, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 31**, SALES AND USE TAX − MANUFACTURING EXEMPTIONS AMENDMENTS, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 32**, MULTI−CHANNEL VIDEO OR AUDIO SERVICE TAX − COUNTY OR MUNICIPALITY FRANCHISE FEE TAX CREDIT, by Senator B. Goodfellow; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 33**, SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 34**, GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS, by Senator M. Dmitrich; and

The Revenue and Taxation Committee recommends **S.B. 35**, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 35**, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, by Senator M. Dmitrich.

Curtis S. Bramble, Chair

Mr. President: January 18, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 112**, CENTERS OF EXCELLENCE AMENDMENTS, by Senator T. Hatch, with the following amendments:

1. Page 1, Lines 12 through 16:

12 ▶ recommends that the governor consider the allocation of economic development

13 funds for Centers of Excellence to be matched by industry and federal grants on at

14 least a two−for−one basis for colleges and universities in the state that {~~ award at least~~

15 ~~50 doctoral degrees per year across at least 15 different disciplines~~ } offer any doctoral degrees ;

16 ▶ requires the Governor's Office of Economic Development to develop a process to determine whether to require the return of economic development Centers of Excellence grant moneys

2. Page 2, Lines 47 through 50:

47 (2) The Legislature recommends that the governor consider the allocation of economic

48 development funds for Centers of Excellence to be matched by industry and federal grants on at

49 least a two−for−one basis for colleges and universities in the state that {~~ award at least 50 doctoral~~

50 ~~degrees per year across at least 15 different disciplines~~ } offer any doctoral degrees .

3. Page 3, Lines 62 through 64:

62 (b) {~~ A~~ } The Governor's Office of Economic Development shall develop a process to determine whether a **college** or university that receives a grant under this part must return the grant

63 proceeds if the technology that is developed with the grant proceeds is licensed to a licensee

64 that: ; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 120**, GOVERNOR'S RURAL PARTNERSHIP BOARD AMENDMENTS, by Senator T. Hatch.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 108, S.B. 115, S.B. 130, S.B. 56,** as amended, **S.B. 53, S.B. 95, S.B. 15, S.B. 26, S.B. 47, S.B. 31, S.B. 32, S.B. 33, S.B. 34, 1st Sub. S.B. 35, S.B. 36 , S.B. 112,** as amended, and **S.B. 120**were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 155, **Amendments to County and Municipal Land Use Provisions** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 156, **Legislative Direction Relating to United States Senators** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 157, **Impact of Administrative Rules on Small Businesses** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.R. 1, SENATE RULES RESOLUTION − CONSENT CALENDAR AMENDMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Eastman Peterson

S.R. 1 was referred to the staff for enrolling.

* * *

S.B. 25, COORDINATION WITH TRIBAL LEADERS AMENDMENTS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 25 was transmitted to the House for consideration.

* * *

S.B. 3, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, was read the third time.

On motion of Senator Stephenson, the bill was circled.

* * *

S.B. 143, REVISOR'S STATUTE, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 143 was transmitted to the House for consideration.

* * *

S.B. 21, EMPLOYMENT SECURITY AMENDMENTS, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 21 was transmitted to the House for consideration.

* * *

S.B. 40, MINE SAFETY AND CERTIFICATE AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 40 was transmitted to the House for consideration.

* * *

S.B. 7, CHILD PROTECTION AMENDMENTS, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 7 was transmitted to the House for consideration.

* * *

On motion of Senator Bramble, the circle was removed from **S.B. 29**, SALES AND USE TAX EXEMPTION − TELECOMMUNICATIONS, and it was before the Senate. Senator Bramble explained the bill. Senators Mayne and McCoy commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 29 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 19, AMENDMENTS TO INDOOR CLEAN AIR ACT, was read the second time. Senator Waddoups explained the bill. Senators Bramble. Christensen, McCoy, Hellewell, Hatch, Hickman, Walker, Mansell, Killpack, Arent, Mayne, Stephenson, and Jenkins commented. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Eastman	Evans	Hale	Hellewell
Hillyard	Jenkins	Knudson	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Valentine		

Voting in the negative were: Senators

Bell	Davis	Dmitrich	Fife
Goodfellow	Hatch	Hickman	Killpack
Madsen	Walker		

Absent or not voting was: Senator
Peterson

* * *

S.B. 57, TELEHEALTH FOR RURAL UTAH, was read the second time. Senator Evans explained the bill.

On motion of Senator Evans, the following substitute bill replaced the original bill.

1st Sub. S.B. 57 TELEHEALTH FOR RURAL UTAH (B. Evans)

Senator Hillyard commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

McCoy	Peterson

* * *

S.B. 8, CARE OF STUDENTS WITH DIABETES IN SCHOOL, was read the second time. Senator Arent explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 19, 2006

The House passed, **S.B. 1**, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 1 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Friday, January 20, 2006.

JANUARY 20, 2006

FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − F. Dwight Marchant, Region President for Zion's Bank and President of the Salt Lake Grant Stake, Church of Jesus Christ of Latter−Day Saints

Pledge of Allegiance − Senator Darin Peterson

Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 19, 2006

The House passed, as amended, **H.B. 14**, OPEN MEETINGS LAW AMENDMENTS, by Representative W. Harper, et al, and it is transmitted for consideration; and

The House passed **H.B. 35**, STATE HIGHWAYS AMENDMENTS, by Representative J. Murray, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 9**, JOINT RULES RESOLUTION − RECODIFICATION AND REVISIONS, by Representative R. Lockhart, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 14, H.B. 35,** and **H.J.R. 9** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 19, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 93 Boiler and Elevator Safety Provisions (Sen. E. Mayne)

S.B. 109	Uniform Commercial Code − Warehouse Receipts, Bills of Lading, and Other Documents of Title (Sen. L. Hillyard)
S.B. 123	Utah Consumer Credit Code Amendments (Sen. P. Knudson)
S.B. 147	Division of Consumer Protection Amendments (Sen. D. Eastman)
H.B. 33	Insurance Related Investment Amendments (Rep. J. Dunnigan)

Government Operations/Political Subdivisions Committee

S.B. 127	Vacating or Changing a Subdivision Plat (Sen. P. Knudson)
H.B. 29	Township Amendments (Rep. L. Christensen)
H.B. 43	Sunset Review and Reauthorizations (Rep. J. Alexander)
H.J.R. 3	Joint Rules Resolution − Base Budget Process (Rep. R. Bigelow)

Health and Human Services Committee

H.B. 21	Child Welfare Revisions (Rep. W. Harper)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 103	Prohibition of Contingent Fees for Expert Witnesses (Sen. D. Thomas)
S.B. 122	Repeal of Libel Provisions (Sen. S. McCoy)
S.B. 133	Liability Protections for Charity Care (Sen. P. Knudson)
S.B. 135	Inherent Risk of Skiing Amendments (Sen. L. Hillyard)
S.B. 142	Information Available to Senate Judicial Confirmation Committee (Sen. D. C. Buttars)
S.B. 149	Providing for Indigent Defense (Sen. G. Bell)

Natural Resources, Agriculture, and Environment Committee

S.B. 46	Utah Coal Regulator Program Amendments (Sen. M. Dmitrich)
S.B. 67	Conservation Easement Restricted Accounts (Sen. B. Evans)
S.B. 70	Process for Approval of Waste Disposal Amendments (Sen. H. Stephenson)

Revenue and Taxation Committee

S.J.R. 5 Joint Resolution Condemning Use of Torture (Sen. S. McCoy)

Retirement and Independent Entities Committee

H.B. 11 Retirement Office Amendments (Rep. A. Hardy)

Transportation/Public Utilities/Technology Committee

S.B. 119 Repeal of Off−highway Vehicle Registration Number (Sen. T. Hatch)

H.B. 20 Commercial Driver Training School Act Amendments (Rep. J. Dunnigan)

Workforce Services and Community and Economic Development Committee

S.B. 43 Minimum Wage Amendments (Sen. E. Mayne)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 19, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 45**, OIL AND GAS CONSERVATION ACCOUNT AMENDMENTS, by Senator M. Dmitrich; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 111**, WATER CONSERVANCY DISTRICT AMENDMENTS, by Senator T. Hatch.

Michael G. Waddoups, Chair

Mr. President: January 19, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 51**, DRIVING WITH A CONTROLLED SUBSTANCE IN THE BODY − AMENDMENTS, by Senator C. Walker.

Sheldon L. Killpack, Chair

Mr. President: January 19, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. S.B. 41**, RESTRICTIONS ON USE OF

PHYSICIAN DISCLOSURES, by Senator D. Thomas, with the following amendments:

1. Page 5, Lines 131 through 133 :

131 (2) In any civil action or arbitration proceeding relating to an unanticipated outcome of

132 medical care, any unsworn statement, affirmation, gesture, or conduct made to the patient by the

133 defendant shall be inadmissible as evidence of an admission against interest or of liability if it: ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 50**, JAIL FUNDING AMENDMENTS, by Senator D. Thomas, be replaced and favorably recommends **1st Sub. S.B. 50,** JAIL FUNDING AMENDMENTS.

D. Chris Buttars, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 45, S.B. 111, S.B. 51, 1st Sub. S.B. 41,**as amended, and **1st Sub. S.B. 50** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 158, **Administrative Rulemaking Authority Amendments** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 159, **District Court Judge** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 160, **Physician Licensing Amendments** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 161, **Mechanics' Lien and Payment Amendments** (S. Jenkins), read the first time by short title and referred to the Rules Committee.

S.C.R. 1, **Resolution Encouraging School Boards to Adopt Policy Prohibiting Bullying** (P. Arent), read the first time by short title and referred to the Rules Committee.

S.J.R. 6, **Resolution Approving Compensation of In−session Employees** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 19, AMENDMENTS TO INDOOR CLEAN AIR ACT, was read the third time and explained by Senator Waddoups.

Senator Hale asked for leave of the body to allow her to cast an aye vote on **S.B. 19.**

Senator Mayne asked for leave of the body to allow him to cast a nay vote on **S.B. 19.**

The bill passed on the following roll call:

Yeas, 17; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Eastman	Evans	Hale	Hellewell
Hillyard	Jenkins	Knudson	Mansell
McCoy	Stephenson	Thomas	Waddoups
Valentine			

Voting in the negative were: Senators

Bell	Davis	Dmitrich	Fife
Goodfellow	Hatch	Hickman	Killpack
Madsen	Mayne	Peterson	Walker

S.B. 19 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 57, TELEHEALTH FOR RURAL UTAH, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mayne

1st Sub. S.B. 57 was transmitted to the House for consideration.

* * *

S.B. 8, CARE OF STUDENTS WITH DIABETES IN SCHOOL, was read the third time and explained by Senator Arent. Senators Thomas and Peterson commented and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

S.B. 8 was transmitted to the House for consideration.

* * *

On motion of Senator Stephenson, the circle was removed from **S.B. 3**, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, and it was before the Senate. Senator Stephenson explained the bill. Senators Knudson, Hale, Hillyard, and Evans commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard

Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 3 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 48, SCHOOL NURSES LEGISLATIVE TASK FORCE, was read the second time. Senator Mayne explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators
Hickman Valentine

* * *

S.B. 96, PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF LIFE, was read the second time. Senator Buttars explained the bill.

Senator Buttars proposed the following amendment:

1. Page 2, Line 36:
   After "opposing" insert "scientific"

2. Page 2, Line 51:
   After "which" insert "scientific"

Senator Buttars' motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 1, Line 1, through Page 2, Line 51:

1 PUBLIC EDUCATION − INSTRUCTION AND
2 POLICY {~~ RELATING TO THE ORIGINS OF~~
3 ~~LIFE ~~}
4 2006 GENERAL SESSION
5 STATE OF UTAH
6 Chief Sponsor: D. Chris Buttars
7 House Sponsor: James A. Ferrin
8
9 LONG TITLE
10 General Description:
11 This bill amends the chapter relating to Curriculum in the Public Schools to require the
12 State Board of Education to establish certain curriculum requirements and policies
13 relating to instruction on scientific theories {~~ of the origins of life ~~} .
14 Highlighted Provisions:
15 This bill:
16 ▶ states the intent of the Legislature relating to this bill;
17 ▶ requires the State Board of Education to establish curriculum requirements and
18 policies that:
19 • stress that not all scientists agree on which {~~ theory regarding the origins of life,~~
20 ~~or the origins or present state of the human race, is ~~} scientific theories are correct; and
21 • do not endorse a particular scientific theory {~~– regarding the origins of life or the origins or~~

22 ~~present state of the human race~~ } ; and

23 ► grants rulemaking authority to the State Board of Education.

24 Monies Appropriated in this Bill:

25 None

26 Other Special Clauses:

27 None

28 Utah Code Sections Affected:

29 ENACTS:

30 53A−13−101.7, Utah Code Annotated 1953

31

32 Be it enacted by the Legislature of the state of Utah:

33 Section 1. Section 53A−13−101.7 is enacted to read:

34 53A−13−101.7. Curriculum and policy on scientific theories {~~relating to the origins of life~~} .

35 (1) In order to encourage students to critically analyze scientific theories {~~regarding the origins of~~

36 ~~life or the origins or present state of the human race~~ } , consider opposing viewpoints, and form

37 their own opinions, the Legislature desires to avoid the perception that all scientists agree on

38 any one scientific theory, or that the state endorses one scientific theory over another.

39 (2) The State Board of Education shall establish curriculum requirements, consistent

40 with Subsection (1), relating to instruction of students on scientific theories {~~regarding the origins of life~~

41 ~~or the origins or present state of the human race~~ } .

42 (3) The curriculum requirements described in Subsection (2) shall require that

43 instruction to students on any scientific theory {~~regarding the origins of life, or the origins or present state~~

44 ~~of the human race,~~ } shall stress that not all scientists agree on which scientific theory is correct.

45 (4) The State Board of Education shall:

46 (a) make rules, pursuant to Title 63, Chapter 46a, Utah Administrative Rulemaking

47 Act, to fulfill the requirements of this section; and

48 (b) ensure that all policies and positions of the State Board of Education relating to scientific

49 theories {~~– regarding the origins of life or the origins or present state of the human race~~ } :

50 (i) do not endorse a particular scientific theory; and

51 (ii) stress that not all scientists agree on which scientific theory is correct.

Senator McCoy's motion to amend failed on a voice vote. Senators Bell, Christensen, McCoy, Hickman, Hillyard, Killpack, Bramble, Hellewell, and Hale commented. The bill passed second reading on the following roll call:

* * *

1st Sub. S.B. 13, COMMERCIAL DRIVER LICENSE AMENDMENTS, was read the second time. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Voting in the negative were: Senators

Mansell	Waddoups

Absent or not voting were: Senators

Eastman	Hellewell	Hickman

* * *

On motion of Senator Knudson and at 11:35 a.m., the Senate adjourned until 10:00 a.m., Monday, January 23, 2006.

JANUARY 23, 2006

EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Former Senator Paula Julander
Pledge of Allegiance − Senator Carlene Walker
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 20, 2006

The House passed, as substituted, **1st Sub. H.B. 17**, UNINSURED MOTORIST IDENTIFICATION DATABASE PROGRAM AMENDMENTS, by Representative J. Murray, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 19**, IDENTIFICATION CARD AMENDMENTS, by Representative J. Dunnigan, et al, and it is transmitted for consideration; and

The House passed **H.B. 26**, FILING LIENS, by Representative S. Clark, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 27**, DIVORCE EDUCATION AMENDMENTS, by Representative L. Fowlke, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 44**, LOCAL GOVERNMENT AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 51**, SALES AND USE TAXATION OF AMUSEMENT DEVICES AND CLEANING OR WASHING OF TANGIBLE PERSONAL PROPERTY, by Representative W. Harper, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 101**, LOBBYIST GIFT LIMITS AND DISCLOSURE, by Representative J. Alexander, et al, and it is transmitted for consideration; and

The House passed **H.B. 205**, REPEAL OF OBSOLETE DEPENDENT SPECIAL DISTRICTS, by Representative Julie Fisher, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 17, 1st Sub. H.B. 19, H.B. 26, H.B. 27, 1st Sub. H.B. 44, H.B. 51, H.B. 101,** and **H.B. 205** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 20, 2006

The Rules Committee recommends the following bills be placed at the bottom of the Second Reading Calendar:

H.J.R. 9 Joint Rules Resolution − Recodification and Revisions
(Rep. R. Lockhart)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Knudson, the committee report was adopted.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 20, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 42 Amendments Prohibiting Health Insurance Discrimination
(Sen. S. McCoy)

S.B. 68 Plumbing License Qualifications Amendments
(Sen. P. Hellewell)

S.B. 69 Protection of Information in Consumer Credit Databases
(Sen. C. Walker)

S.B. 114 Producer and Affiliate Disclosure Amendments
(Sen. B. Evans)

S.B. 124 Alcohol Beverage Control Amendments
(Sen. P. Knudson)

S.B. 128	Revolving Credit Line Trust Deed (Sen. T. Hatch)
S.B. 157	Impact of Administrative Rules on Small Businesses (Sen. H. Stephenson)
H.B. 18	Unemployment Compensation − Social Security Offset (Rep. D. Cox)

Education

S.B. 49	School Community Council Amendments (Sen. P. Arent)

Government Operations/Political Subdivisions

S.B. 117	Eminent Domain Amendments (Sen. H. Stephenson)
S.B. 156	Legislative Direction Relating to United States Senators (Sen. H. Stephenson)
S.B. 158	Administrative Rulemaking Authority Amendments (Sen. H. Stephenson)
H.B. 16	Revisions to Open and Public Meetings Law (Rep. G. Donnelson)

Health and Human Services

S.B. 104	Prescribing Practices for Schedule II Drugs (Sen. P. Knudson)
S.B. 141	Response to HIPAA Changes (Sen. P. Knudson)
S.B. 146	Physician Assistants and Public Health Amendments (Sen. G. Bell)
H.B. 25	Child Welfare − Licensing and Management Information Systems (Rep. W. Harper)

Judiciary, Law Enforcement, Criminal Justice

S.B. 134	Lien Duration of a Foreign Judgment (Sen. T. Hatch)
S.B. 148	Punitive Damages − Discovery of Wealth (Sen. G. Bell)
S.B. 150	Expungement Amendments (Sen. G. Bell)
S.B. 159	District Court Judge (Sen. M. Madsen)

Natural Resources, Agriculture, and Environment Committee

S.B. 65	Wildland Fire Suppression Amendments (Sen. D. Thomas)
S.B. 153	Uniform Environmental Covenants Act (Sen. L. Hillyard)

Transportation/Public Utilities/Technology

S.B. 98	Safety Belt Enforcement Amendments (Sen. K. Hale)

S.B. 129 Motor Vehicle Registration Amendments (Sen. S. Killpack)
H.B. 35 State Highways Amendments (Rep. J. Murray)

Workforce Services and Community and Economic Development
S.J.R. 6 Resolution Approving Compensation of In−session Employees (Sen. M. Waddoups)
H.B. 71 Economic Development − Sunset Modifications (Rep. P. Wallace)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Knudson, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 20, 2006

The Government Operations and Political Subdivisions Committee recommends **S.B. 55**, ELECTION REFORM, by Senator L. A. Mansell, be replaced and favorably recommends **1st Sub. S.B. 55,** ELECTION REFORM; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 59**, PURCHASING FROM PEOPLE WITH DISABILITIES AMENDMENTS, by Senator S. Killpack; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 100**, COUNTY OFFICER AMENDMENTS, by Senator D. Thomas; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 110**, PROTECTION OF CERTAIN VOTER INFORMATION, by Senator L. Hillyard; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 99**, COUNTY RECORDER AMENDMENTS, by Senator D. Thomas, with the following amendments:

1. Page 1, Lines 16 through 19:

16 beneath the person's signature; and

17 ▶ {~~modifies a notice requirement related to subdivision plats that include a public~~

18 ~~utility easement to prohibit municipal or county approval of a plat unless proof of~~

19 ~~notice to affected public utilities is provided; and~~ }

2. Page 2, Line 32:

32 { ~~54−3−27, as enacted by Chapter 64, Laws of Utah 2004~~ }

3. Page 4, Line 105 through Page 5, Line 135:

105 { ~~Section 4. Section 54−3−27 is amended to read:~~

106 ~~54−3−27. Public utility easement.~~

107 ~~(1) As used in this section, "public utility easement" means the area on a recorded plat~~

108 ~~map or other recorded document that is dedicated to the use and installation of public utility~~

109 ~~facilities.~~

110 ~~(2) (a) A public utility easement provides a public utility with:~~

111 ~~(i) the right to install, maintain, operate, repair, remove, replace, or relocate public~~

112 ~~utility facilities; and~~

113 ~~(ii) the rights of ingress and egress within the public utility easement for public utility~~

114 ~~employees, contractors, and agents.~~

115 ~~(b) Notwithstanding Subsection (3), a public utility shall restore or repair, at the~~

116 ~~expense of the public utility, any fence, grass, soil, shrubbery, bushes, flowers, other low level~~

117 ~~vegetation, sprinkler system, irrigation system, gravel, flat concrete, or asphalt damaged or~~

118 ~~displaced from the exercise of the easement rights described in Subsection (2)(a).~~

119 ~~(3) Except as provided in Subsection (2)(b), if a property owner places improvements~~

120 ~~to land that interfere with the easement rights described in Subsection (2)(a), the property~~

121 ~~owner shall bear the risk of loss or damage to those improvements resulting from the exercise~~

122 ~~of the easement rights described in Subsection (2)(a).~~

123 ~~(4) (a) Except as provided in Subsection (4)(b), a public utility easement is~~

124 ~~nonexclusive and may be used by more than one public utility.~~

125 ~~(b) Notwithstanding Subsection (4)(a), a public utility may not:~~

126 ~~(i) interfere with any facility of another public utility within the public utility easement;~~

127 ~~or~~

128 ~~(ii) infringe on the legally required distances of separation between public utility~~

129 ~~facilities required by federal, state, or local law.~~

130 ~~(5) A subdivision plat that includes a public utility easement may not be [recorded~~]

131 ~~approved by a municipal or county legislative body or its designee unless the subdivider has~~

132 ~~provided the municipality or county with proof that each public utility [as identified by the~~

133 ~~municipality or county as holding an interest in the public utility easement~~] ~~that will provide~~

134 ~~service to the subdivision~~ ~~has, as a courtesy, been notified [at least 14 calendar days]~~ ~~by the~~

135 ~~owner or the owner's agent~~ ~~prior to [recording]~~ ~~approval.~~ }
Renumber remaining sections accordingly

Parley G. Hellewell, Chair

Mr. President: January 20, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 28**, SALES AND USE TAX − EXEMPTION FOR ISOLATED OR OCCASIONAL SALES, by Senator L. Hillyard; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, by Senator L. Hillyard; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 38**, INDIVIDUAL INCOME TAXATION OF CERTAIN TRUST DISTRIBUTIONS, by Senator L. Hillyard.

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 55, S.B. 59, S.B. 100, S.B. 110, S.B. 99,** as amended, **S.B. 28, S.B. 37,** and **S.B. 38** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 71, **Consumer Credit Protection** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 72, **Home School and Dual Enrollment Amendments** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 73, **Personal Use of Campaign Funds** (K. Hale), read the first time by short title and referred to the Rules Committee.

S.B. 75, **U Star Initiative** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

S.B. 163, **Statement Under Penalty of Perjury** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 164, **Repeal of Ordination by Internet** (G. Davis), read the first time by short title and referred to the Rules Committee.

S.B. 165, **Corporations − Professional Services Amendment** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 166, **Moratorium on Issuing Sales Tax Revenue Bonds by Local Governments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 167, **Juvenile Offenses − Diversion Amendment** (P. Arent), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Bramble, the Senate voted to lift **S.J.R. 6**, RESOLUTION APPROVING COMPENSATION OF IN−SESSION EMPLOYEES, from the Workforce Services and Community and Economic Development Committee and place it at the top of the Second Reading Calendar.

THIRD READING CALENDAR

S.B. 48, SCHOOL NURSES LEGISLATIVE TASK FORCE, was read the third time

On motion of Senator Mayne, the bill was circled.

* * *

S.B. 96, PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF LIFE, was read the third time.

On motion of Senator Bramble, the bill was circled.

* * *

1st Sub. S.B. 13, COMMERCIAL DRIVER LICENSE AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

1st Sub. S.B. 13 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Waddoups, under suspension of the rules, **S.J.R. 6**, RESOLUTION APPROVING COMPENSATION OF IN−SESSION EMPLOYEES, was considered read the second and third times. Senator Waddoups explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

S.J.R. 6 was transmitted to the House.

* * *

On motion of Senator Bramble, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bramble, the circle was removed from **S.B. 96**, PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF LIFE, and it was before the Senate. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 2, Lines 42 through 44
   Senate 2nd Reading Amendments
   1−20−2006

   42 (3) The curriculum requirements described in Subsection (2) shall require that if

   43 instruction is given to students on any theory regarding the origins of life, or the origins or present state

   44 of the human race, then that instruction shall stress that not all scientists agree on which theory is correct.

Senator Bramble's motion to amend passed on a voice vote. Senators Arent, McCoy, and Fife commented. The bill passed on the following roll call:

Yeas, 16; Nays, 12; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Hatch	Hellewell	Jenkins	Killpack
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hickman
Hillyard	Knudson	Mayne	McCoy

Absent or not voting was: Senator
Buttars

S.B. 96, as amended, was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 18, DRIVING UNDER THE INFLUENCE AMENDMENTS, was read the second time. Senator Walker explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

S.B. 118, DRIVING BY MINORS AMENDMENTS, was read the second time.

On motion of Senator Hale, the bill was circled.

* * *

S.B. 16, CIVIL ANTITRUST AMENDMENTS, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

S.B. 108, ETHICS IN DENTAL ADVERTISING, was read the second time. Senator Knudson explained the bill. Senator Knudson declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

S.B. 115, CONTINUING EDUCATION IN INSURANCE, was read the second time. Senator Hatch explained the bill. Senator Hatch declared a conflict of interest. Senators Arent and Hillyard commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Hale	Hillyard	McCoy

Absent or not voting were: Senators

Buttars	Davis	Hickman	Killpack

SPECIAL ORDER OF BUSINESS

A citation was read by Senator Knudson honoring Utah State University students and instructor killed in an auto accident on September 26, 2005. Senators Hillyard, Hatch, Peterson, Stephenson, and Fife commented.

* * *

S.B. 130, JOINT TENANCY AMENDMENTS, was read the second time. Senator Hatch explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

* * *

S.B. 56, SECONDARY SCHOOL AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

* * *

S.B. 53, ADULT PROTECTIVE SERVICES AMENDMENTS, was read the second time. Senator Christensen explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

* * *

S.B. 95, PSYCHOLOGIST LICENSING ACT AMENDMENTS, was read the second time. Senator Mayne explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Stephenson

SPECIAL ORDER OF BUSINESS

A citation was read honoring Senator Al Mansell recognizing his position as President of the National Association of Realtors for 2005.

* * *

On motion of Senator Knudson and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Tuesday, January 24, 2006.

JANUARY 24, 2006

NINTH DAY

MORNING SESSION

The Senate was called to order at 10:25 a.m., with President John Valentine presiding.

Prayer − Terry Lotz, First Counselor, Centerville Utah State Presidency
Pledge of Allegiance − Senator Greg Bell
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 23, 2006

The House passed **H.B. 63**, PROBATE CODE AMENDMENTS REGARDING HOMICIDE, by Representative K. Morgan, et al, and it is transmitted for consideration; and

The House passed **H.B. 235**, PUBLIC SAFETY VEHICLES − MARKING LIGHTS, by Representative J. Murray, et al, and it is transmitted for consideration; and

The House passed **H.C.R. 2**, RESOLUTION PROMOTING UTAH'S LEGISLATORS BACK TO SCHOOL PROGRAM, by Representative M. Dayton, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 63, H.B. 235,** and **H.C.R. 2** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 23, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee
S.B. 71 Consumer Credit Protection (Sen. C. Walker)

S.B. 116	Department of Financial Institution's Fees (Sen. L. Hillyard)
S.B. 145	Regulation of Direct Pathology Billing (Sen. G. Bell)
S.B. 161	Mechanics' Lien and Payment Amendments (Sen. S. Jenkins)
H.B. 26	Filing Liens (Rep. S. Clark)

Education

S.B. 72	Home School and Dual Enrollment Amendments (Sen. M. Madsen)

Government Operations/Political Subdivisions

S.B. 101	County Assistance to Nonprofit Entities (Sen. D. Thomas)
S.B. 131	Authorization of Opinion Questions to Voters (Sen. E. Mayne)
S.B. 155	Amendments to County and Municipal Land Use Provisions (Sen. G. Bell)
S.J.R. 2	Resolution Enlarging Revenues and Assets in State Trust Fund (Sen. L. Hillyard)
1st Sub. H.B. 44	Local Government Amendments (Rep. B. Dee)
H.B. 205	Repeal of Obsolete Dependent Special Districts (Rep. Julie Fisher)

Health and Human Services

S.B. 152	Medicaid Task Force (Sen. S. Killpack)
H.B. 23	Office of Child Welfare Parental Defense Amendments (Rep. W. Harper)

Judiciary, Law Enforcement, Criminal Justice

S.B. 163	Statement Under Penalty of Perjury (Sen. S. McCoy)

Revenue and Taxation Committee

S.B. 139	Reportable Transactions Act (Sen. H. Stephenson)
S.B. 154	Sales and Use Tax Exemption for Certain Admissions to or Rights to Use the Premises of a Private Club (Sen. M. Dmitrich)
S.B. 166	Moratorium on Issuing Sales Tax Revenue Bonds by Local Governments (Sen. L. Hillyard)

H.B. 51 Sales and Use Taxation of Amusement Devices and Cleaning or Washing of Tangible Personal Property (Rep. W. Harper)

Transportation/Public Utilities/Technology
1st Sub. H.B. 17 Uninsured Motorist Identification Database Program Amendments (Rep. J. Murray)
1st Sub. H.B. 19 Identification Card Amendments (Rep. J. Dunnigan)

Workforce Services and Community and Economic Development
S.B. 75 U Star Initiative (Sen. L. A. Mansell)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 20, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 58**, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, by Senator P. Knudson, with the following amendments:

1. Page 2, Lines 36 through 48:

36 Monies Appropriated in this Bill:

37 This bill appropriates <u>in addition to the monies otherwise appropriated from the Alcoholic Beverage Enforcement and Treatment Restricted Account for fiscal year 2006−07</u> :

~~{ 38 ► $4,350,000 from the Alcoholic Beverage Enforcement and Treatment Restricted~~

~~39 Account for fiscal year 2006−07 only, to the State Tax Commission for distribution~~

~~40 to municipalities and counties as provided in Section 32A−1−115; }~~

41 ► $543,750 from the Alcoholic Beverage Enforcement and Treatment Restricted

42 Account for fiscal year 2006−07 only, to the Department of Public Safety to be used

43 by the Highway Safety Office as provided in Section 32A−1−115; and

44 ► $1,631,250 from the Alcoholic Beverage Enforcement and Treatment Restricted

45 Account for fiscal year 2006−07 only, to the Department of Alcoholic Beverage

46 Control to be used as provided in Section 32A−1−115.

47 Other Special Clauses:

48 {~~None~~} This bill takes effect on July 1, 2006.

2. Page 37, Lines 1127 through 1137:

1127 Section 10. Appropriation.

1128 There is appropriated in addition to the monies otherwise appropriated from the Alcoholic Beverage Enforcement and Treatment Restricted Account for fiscal year 2006−07 :

1129 {~~(1) $4,350,000 from the Alcoholic Beverage Enforcement and Treatment Restricted~~

1130 ~~Account for fiscal year 2006−07 only, to the State Tax Commission for distribution to~~

1131 ~~municipalities and counties as provided in Section 32A−1−115;~~ }

1132 {~~(2)~~ } (1) $543,750 from the Alcoholic Beverage Enforcement and Treatment Restricted

1133 Account for fiscal year 2006−07 only, to the Department of Public Safety to be used by the

1134 Highway Safety Office as provided in Section 32A−1−115; and

1135 {~~(3)~~ } (2) $1,631,250 from the Alcoholic Beverage Enforcement and Treatment Restricted

1136 Account for fiscal year 2006−07 only, to the Department of Alcoholic Beverage Control to be

1137 used as provided in Section 32A−1−115.
Section 11. Effective date.
This bill takes effect on July 1, 2006.; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 109**, UNIFORM COMMERCIAL CODE − WAREHOUSE RECEIPTS,

BILLS OF LADING, AND OTHER DOCUMENTS OF TITLE, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 137**, BUSINESS ORGANIZATION AND DIVISION OF CORPORATIONS AND COMMERCIAL CODE AMENDMENTS, by Senator G. Bell; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 33**, INSURANCE RELATED INVESTMENT AMENDMENTS, by Representative J. Dunnigan.

Scott K. Jenkins, Chair

Mr. President: January 23, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 46**, UTAH COAL REGULATOR PROGRAM AMENDMENTS, by Senator M. Dmitrich; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 67**, CONSERVATION EASEMENT RESTRICTED ACCOUNTS, by Senator B. Evans, with the following amendments:

1. Page 3, Lines 59 through 60:

59 (3) Upon appropriation by the Legislature, the Department of {~~Agriculture and Food~~} Natural Resources

60 shall use monies from the account to monitor and enforce compliance with conservation ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 70**, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, by Senator H. Stephenson, with the following amendments:

1. Page 1, Lines 24 through 25:

24 Other Special Clauses:

25 {~~**None**~~} This bill takes effect on July 1, 2007.

2. Page 11, Lines 329 through 330:

329 regulation under the federal Atomic Energy Act, 42 U.S.C. Sections 2014 and 2021 through

330 2114.

Section 3. Effective date.

This bill takes effect on July 1, 2007.

Michael G. Waddoups, Chair

Mr. President: January 23, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 62**, JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Senator M. Waddoups.

Al Mansell, Acting Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 58,** as amended, **S.B. 109, S.B. 137, H.B. 33, S.B. 46, S.B. 67,** as amended, **S.B. 70,** as amended, and **S.B. 62** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 20, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 93**, BOILER AND ELEVATOR SAFETY PROVISIONS, by Senator E. Mayne, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

On motion of Senator Knudson, the committee report was adopted. **S.B. 93** was placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 74, **Privatization of Government Functions Task Force** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 168, **Community Association Act Amendments** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 169, **Sales and Use Tax − Dental Prostheses** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 170, **Local Government Land Use and Impact Fee Revisions** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

S.B. 171, **Judiciary Amendments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 172, **Vital Statistics Act Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.R. 3, **Resolution Urging Participation by Taiwan in World Health Organization** (C. Bramble), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

SB. 18, DRIVING UNDER THE INFLUENCE AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 18 was transmitted to the House for consideration.

* * *

S.B. 108, ETHICS IN DENTAL ADVERTISING, was read the third time and explained by Senator Knudson.

Senator Knudson proposed the following amendment:

1. Page 2, Line 43:
   After "includes" insert "for the practice of dentistry" :

Senator Knudson's motion to amend passed on a voice vote and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hickman

S.B. 108, as amended, was transmitted to the House for consideration.

* * *

S.B. 115, CONTINUING EDUCATION IN INSURANCE, was read the third time and explained by Senator Hatch. Senator Hillyard commented and the bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Bell	Hillyard	McCoy

Absent or not voting was: Senator
Buttars

S.B. 115 was transmitted to the House for consideration.

* * *

S.B. 130, JOINT TENANCY AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hickman

S.B. 130 was transmitted to the House for consideration.

* * *

S.B. 56, SECONDARY SCHOOL AMENDMENTS, was read the third time and explained by Senator Bramble. Senators Hale, Arent, and McCoy commented.

Senator Madsen proposed the following amendment:

1. Page 2, Line 56
   Senate Committee Amendments
   1−19−2006
   After "~~U.S. Department of Education~~]" insert "accredited or recognized" and after "by the" insert "Northwest"

2. Page 2, Line 57
   Senate Committee Amendments
   1−19−2006
   After "student's principal or designee" insert "prior to program enrollment"

Senator Madsen's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman

Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Absent or not voting was: Senator
Buttars

S.B. 56, as amended, was transmitted to the House for consideration.

* * *

S.B. 53, ADULT PROTECTIVE SERVICES AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Evans	Hillyard
Stephenson			

S.B. 53 was transmitted to the House for consideration.

* * *

S.B. 95, PSYCHOLOGIST LICENSING ACT AMENDMENTS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Evans

S.B. 95 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 15, GRAMA APPEALS PROCESS AND DOCUMENT REQUEST AMENDMENTS, was read the second time. Senator Thomas explained the bill.

Senator Thomas proposed the following amendment:

1. Page 4, Lines 94 through 99

94 (8) (a) [~~A~~] In response to a request, a governmental entity is not required to:

95 (i) create a record [~~in response to a request.~~]; or

96 (ii) fulfill a person's records request if:

97 (A) the request unreasonably duplicates prior records requests from that person; or

98 (B) the information requested is included in a public publication or product produced

99 by a governmental entity and the governmental entity receiving the request provides the person requesting the record with a copy of or access to the publication or product and informs the person where the information can be found in the publication or product .

2. Page 11, Lines 308 through 309

308 (c) for claims under Subsection (4)(c), the governmental entity shall fulfill the request within 30 calendar days after the date of the original request;
(d) for claims under Subsections (4) {~~(c),~~} (d), [~~and~~] (e), and (f) , the governmental entity

309 shall:

3. Page 11, Lines 321 through 327

321 {~~(d)~~} (e) for claims under Subsection (4)[~~(f)~~](g), the governmental entity shall either approve

322 or deny the request within five business days after the response time specified for the original

323 request has expired;

324 {~~(e)~~} (f) for claims under Subsection (4)[~~(g)~~](h), the governmental entity shall fulfill the

325 request within 15 business days from the date of the original request; or

326 {~~(f)~~} (g) for claims under Subsection (4)[~~(h)~~](i), the governmental entity shall complete its

327 programming and disclose the requested records as soon as reasonably possible.

Senator Thomas' motion to amend passed on a voice vote. Senator Hale commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Walker

* * *

S.B. 26, ADMINISTRATIVE RULES REAUTHORIZATION, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Thomas

* * *

S.B. 47, RESTORATION OF VOTING RIGHTS AMENDMENTS, was read the second time. Senator Goodfellow explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Stephenson

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 16**, CIVIL ANTITRUST AMENDMENTS, and it was before the Senate. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 3, Lines 81 through 84:

81 (6) {~~In actions where injured persons who dealt both directly and indirectly with the~~

82 ~~defendant are involved~~ } When a defendant has been sued in one or more actions by both direct and indirect purchasers, whether in state court of federal court , a defendant shall be entitled to prove as a partial or complete defense

83 to a claim for damages that the damages incurred by the plaintiff or plaintiffs have been passed

84 on to others who are entitled to recover so as to avoid duplication of recovery of damages. In an action by indirect purchasers, any damages or settlement amounts paid to direct purchasers for the same alleged antitrust violations shall constitute a defense in the amount paid on a claim by indirect purchasers under this act so as to avoid duplication of recovery of damages.

Senator Hillyard's motion to amend passed on a voice vote. Senators Arent, Thomas, Bell, and Mansell commented. Senator Thomas declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Peterson

Absent or not voting was: Senator
Buttars

* * *

On motion of Senator Knudson and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Wednesday, January 25, 2006.

JANUARY 25, 2006

TENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Reverend France Davis, Calvary Baptist Church
Pledge of Allegiance − Senator Tom Hatch
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 24, 2006

The House passed, as amended, **H.B. 32**, LIFE INSURANCE AND ANNUITY LAW AMENDMENTS, by Representative J. Dunnigan, et al, and it is transmitted for consideration; and

The House passed **H.B. 34**, INSURANCE REPORTS, TABLES, AND EXAMINATION AMENDMENTS, by Representative J. Dunnigan, et al, and it is transmitted for consideration; and

The House passed **H.B. 36**, NOTICE REQUIREMENTS FOR BUDGET TRANSFERS FROM UTILITY FUNDS, by Representative A. Tilton, et al, and it is transmitted for consideration; and

The House passed **H.B. 37**, PUBLIC ASSISTANCE AMENDMENTS, by Representative S. Allen, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 49**, DEPARTMENT OF TECHNOLOGY SERVICES PERSONNEL TRANSFER − SUPPLEMENTAL APPROPRIATION, by Representative D. Clark, et al, and it is transmitted for consideration; and

The House passed **H.B. 50**, UTAH TECHNOLOGY INDUSTRY COUNCIL REVISIONS, by Representative D. Litvack, et al, and it is transmitted for consideration; and

The House passed **H.B. 52**, SALES AND USE TAX EXEMPTION FOR TRANSPORTATION, by Representative W. Harper, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 82**, EDUCATION INFORMATION TECHNOLOGY SYSTEMS, by Representative K. Holdaway, et al, and it is transmitted for consideration; and

The House passed **H.B. 232**, HIGHER EDUCATION TUITION FOR ACTIVE DUTY MILITARY, by Representative M. Morley, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 32, H.B. 34, H.B. 36, H.B. 37, 1st Sub. H.B. 49, H.B. 50, H.B. 52, H.B. 82,** and **H.B. 232** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 24, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 165	Corporations − Professional Services Amendment (Sen. L. Hillyard)
S.B. 168	Community Association Act Amendments (Sen. M. Waddoups)

Government Operations/Political Subdivisions Committee

S.B. 74	Privatization of Government Functions Task Force (Sen. H. Stephenson)
S.B. 170	Local Government Land Use and Impact Fee Revisions (Sen. L. A. Mansell)
H.B. 14	Open Meetings Law Amendments (Rep. W. Harper)

Health and Human Services Committee

S.B. 94	Amendments to Utah Comprehensive Health Insurance Pool (Sen. G. Davis)
S.B. 172	Vital Statistics Act Amendments (Sen. T. Hatch)
S.R. 3	Resolution Urging Participation by Taiwan in World Health Organization (Sen. C. Bramble)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 106	Uniform Interstate Enforcement of Domestic Violence Protection Orders Act (Sen. L. Hillyard)
S.B. 164	Repeal of Ordination by Internet (Sen. G. Davis)
S.B. 171	Judiciary Amendments (Sen. L. Hillyard)

Revenue and Taxation Committee

S.B. 151	Property Tax − Notice and Hearing Amendments (Sen. G. Bell)
S.B. 169	Sales and Use Tax − Dental Prostheses (Sen. P. Knudson)

Transportation/Public Utilities/Technology Committee

H.B. 235	Public Safety Vehicles − Marking Lights (Rep. J. Murray)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 24, 2006

The Business and Labor Committee recommends **S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, by Senator C. Walker, be replaced and favorably recommends **1st Sub. S.B. 69,** PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 140**, UNLAWFUL OUTDOOR ADVERTISING AMENDMENTS, by Senator M. Waddoups.

Scott K. Jenkins, Chair

Mr. President: January 24, 2006

The Education Committee reports a favorable recommendation on **S.B. 49**, SCHOOL COMMUNITY COUNCIL AMENDMENTS, by Senator P. Arent, with the following amendments:

1. Page 2, Lines 30 through 33:

30 guardian's initial term of office. "Parent or guardian member" may not include a person who

31 meets the definition of a school employee member unless the person's employment at the

32 school normally requires an average of less than {~~ten~~} eighteen hours per week.

33 (b) "School employee member" means a person employed at a school by the school or ; and

The Education Committee reports a favorable recommendation on **S.B. 72**, HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS, by Senator M. Madsen, with the following amendments:

1. Page 1, Lines 15 through 17:

15 ► provides that a minor shall be excused from attendance at a public or private school

16 if the minor's parent files a {~~form~~} statement signed by the parent with the local board of

17 education stating that the minor will attend a home school;

2. Page 1, Lines 21 through 23:

21 ► provides that a private or home school student may only participate in

22 extracurricular activities at the public school within whose boundaries the student's

23 custodial parent or legal guardian resides or a public school within the student's school district of residence which is open for enrollment of nonresident students ; and

3. Page 3, Lines 62 through 66:

62 (2) (a) On an annual basis, a school−age minor shall be excused from attendance by a

63 local board of education and a parent exempted from application of Subsections 53A−11−101(2)

64 and (3), if the minor's parent files a {~~form~~} statement signed [~~affidavit~~] by the parent with the minor's

65 school district of residence, as defined in Section 53A−2−201, stating that the minor will attend

66 a home school and receive instruction as required by Subsection (2)(b).

4. Page 4, Lines 113 through 115:

113 (b) A private or home school student may only participate in extracurricular activities

114 at ;

(i) the public school within whose boundaries the student's custodial parent or legal guardian

115 resides ; or

(ii) a public school:

(A) within the home school student's school district of residence; and

(B) which is open for enrollment of nonresident students pursuant to Section 53A−2−207 or Section 53A−2−213. .

David L. Thomas, Chair

Mr. President: January 24, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 132**, SURPLUS PROPERTY AMENDMENTS, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 29**, TOWNSHIP AMENDMENTS, by Representative L. Christensen; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 43**, SUNSET REVIEW AND REAUTHORIZATIONS, by Representative J. Alexander; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow.

Parley G. Hellewell, Chair

Mr. President: January 24, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 61**, UNIFORM MEDIATION ACT, by Senator L. Hillyard; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 149**, PROVIDING FOR INDIGENT DEFENSE, by Senator G. Bell; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 103**, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES, by Senator D. Thomas, with the following amendments:

1. Page 2, Lines 28 through 52

28 78−24−20. Prohibition of expert witness contingent fees in civil actions.

29 (1) As used in this section , {~~:~~

30 ~~(a) "Civil action" means an action for damages for injury, death, or loss to person or~~

31 ~~property, including a product liability claim. It does not include a civil action for damages for a~~

32 ~~breach of contract or another agreement between persons.~~

33 ~~(b)~~ } "Contingent Fee Agreement" means an agreement for the provision of testimony or

34 other evidence and related services by an expert witness in a civil action that specifies:

35 {~~(i)~~ } (a) the payment of compensation to the expert witness for the testimony, other

36 evidence, and services is contingent, in whole or in part, upon a judgment being rendered in

37 favor of the plaintiff or defendant in a civil action, upon a favorable settlement being obtained

38 by the plaintiff or defendant in a civil action, or upon the plaintiff in a civil action being

39 awarded in a judgment or settlement damages in at least a specified amount; and

40 {~~(ii)~~ } (b) upon satisfaction of the contingency described in Subsection (1)(b)(i), the

41 compensation to be paid to the expert witness is in a fixed amount or an amount to be

42 determined by a specified formula, including, but not limited to, a percentage of a judgment

43 rendered in favor of the plaintiff or a percentage of a favorable settlement obtained by the

44 plaintiff.

45 (2) A plaintiff or defendant in a {~~tort~~} civil action may not engage an expert witness by means

46 of a contingent fee agreement , unless approval is sought and received from the court .

47 (3) {~~If a defendant presents testimony or other evidence in a tort action by means of an~~

48 ~~expert witness, evidence of a common insurer of liability of the defendant and the expert~~

49 ~~witness or evidence of a potential financial impact of the action on the amount of liability~~

50 ~~insurance premiums paid by the expert witness is inadmissible to prove bias, interest, or~~

51 ~~prejudice of the expert witness unless the party offering the evidence proves that the probative~~

52 ~~value of the evidence outweighs the evidence's potential prejudicial effect.~~} An expert witness may be engaged by the plaintiff or defendant on the contingency that the expert actually qualify as an expert. Once the witness is qualified as an expert Subsection (2) applies to his continued participation in the action.

Greg Bell, Acting Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 69, S.B. 140, S.B. 49,** as amended, **S.B. 72,** as amended, **S.B. 127, S.B. 132, H.B. 29, H.B. 43, H.J.R. 3, S.B. 61, S.B. 149,** and **S.B. 103,** as amended, were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 76, **Lenders Registration Acts Amendments** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 162, **Department of Financial Institutions Enforcement of Applicable Law** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 173, **Licensure of Programs and Facilities − Criminal Background Check Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 174, **In−state Tuition for Members of Utah National Guard** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.C.R. 2, **Resolution Urging Development of Offshore Energy Resources** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.J.R. 9, **Resolution Recognizing Right to Participate in Religious Expressions in Public Schools** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.R. 2, **Resolution Encouraging Utah Schools to Educate Children Regarding Risks of Sun Exposure** (P. Arent), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 15, GRAMA APPEALS PROCESS AND DOCUMENT REQUEST AMENDMENTS, was read the third time.

On motion of Senator Thomas, the bill was circled.

* * *

S.B. 26, ADMINISTRATIVE RULES REAUTHORIZATION, was read the third time.

On motion of Senator Evans, the bill was circled.

* * *

S.B. 47, RESTORATION OF VOTING RIGHTS AMENDMENTS, was read the third time, explained by Senator Goodfellow, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Hickman

S.B. 47 was transmitted to the House for consideration.

* * *

On motion of Senator Stephenson, the circle was removed from **S.B. 26**, ADMINISTRATIVE RULES REAUTHORIZATION, and it was before the Senate. Senator Stephenson explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars

S.B. 26 was transmitted to the House for consideration.

* * *

S.B. 16, CIVIL ANTITRUST AMENDMENTS, was read the third time.

On motion of Senator Hillyard, **S.B. 16**, CIVIL ANTITRUST AMENDMENTS, will be considered Thursday, January 26, 2005 at 11:00 a.m.

SECOND READING CALENDAR

On motion of Senator Waddoups, under suspension of the rules, **H.J.R. 9**, JOINT RULES RESOLUTION − RECODIFICATION AND REVISIONS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars

H.J.R. 9 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 33, INSURANCE RELATED INVESTMENT AMENDMENTS, was read the second time.

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Knudson, under suspension of the rules, the Senate voted to consider Senate bills on the Second Reading Calendar.

* * *

S.B. 31, SALES AND USE TAX − MANUFACTURING EXEMPTIONS AMENDMENTS, was read the second time. Senator Stephenson explained the bill. Senators Mayne, Bramble, and Knudson, commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Evans

* * *

On motion of Senator Bramble, the circle was removed from **H.B. 33**, INSURANCE RELATED INVESTMENT AMENDMENTS, and it was before the Senate. Senator Bramble explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Evans

* * *

S.B. 32, MULTI−CHANNEL VIDEO OR AUDIO SERVICE TAX − COUNTY OR MUNICIPALITY FRANCHISE FEE TAX CREDIT, was read the second time. Senator Goodfellow explained the bill. Senators Bramble, Hatch, and McCoy commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Evans

* * *

S.B. 33, SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Knudson

* * *

S.B. 34, GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS, was read the second time.

On motion of Senator Davis, the bill was circled.

* * *

1st Sub. S.B. 35, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Killpack	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative was: Senator
Jenkins

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Knudson

* * *

S.B. 36, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, was read the second time.

On motion of Senator Davis, the bill was circled.

* * *

S.B. 112, CENTERS OF EXCELLENCE AMENDMENTS, was read the second time. Senator Hatch explained the bill. Senator Hillyard commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Knudson

* * *

S.B. 120, GOVERNOR'S RURAL PARTNERSHIP BOARD AMENDMENTS, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Knudson

* * *

S.B. 45, OIL AND GAS CONSERVATION ACCOUNT AMENDMENTS, was read the second time.

On motion of Senator Davis, the bill was circled.

* * *

S.B. 111, WATER CONSERVANCY DISTRICT AMENDMENTS, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Eastman	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Davis	Dmitrich	Evans
Knudson			

* * *

S.B. 51, DRIVING WITH A CONTROLLED SUBSTANCE IN THE BODY − AMENDMENTS, was read the second time. Senator Walker explained the bill. Senators McCoy, Madsen, and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen

Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Knudson

* * *

1st Sub. S.B. 41, RESTRICTIONS ON USE OF PHYSICIAN DISCLOSURES, was read the second time. Senator Thomas explained the bill. Senators Walker, Christensen, Hillyard, and Arent commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting were: Senators

Buttars	Knudson

* * *

On motion of Senator Dmitrich, the circle was removed from **S.B. 34**, GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS, and it was before the Senate. Senator Dmitrich explained the bill.

Senator Dmitrich proposed the following amendment:

1. Page 4, Lines 104 through 116

104 **(**2) An electrical corporation shall:

105 (a) file new tariffs with the commission on or before { ~~September 1~~ } July 31 , 2006 as part of its 2006 general rate case revenue requirement :

106 (i) reflecting the decrease in the electrical corporation's rates as a result of the repeal of

107 the gross receipts tax by this bill; and

108 (ii) spreading the amount of the decrease described in Subsection (2)(a)(i) among all

109 classes of the electrical corporation's customers on the same basis that the gross receipts tax

110 was allocated to each class of the electrical corporation's customers under the rates { ~~in effect on~~

111 ~~June 30, 2006; and~~ } effective on the day on which the rates determined by the commission take effect under the electrical corporation's 2006 general rate case filed on or before September 1, 2006; and

112 (b) on or before the day on which the electrical corporation files new tariffs with the

113 commission under Subsection (2)(a), file with the commission a complete report of the

114 calculation of the allocation required by this section.

115 { ~~(3) The tariffs required to be filed with the commission under Subsection (2)(a) take~~

116 ~~effect as provided in Section 54−7−12.~~ }

2. Page 6, Lines 166 through 167:

166 Section 6. Effective date.

167 (1) Except as provided in Subsection (2), this { ~~This~~ } bill takes effect on July 1, 2006.

(2) The amendments to Section 54−7−12.9 and the repeal of Title 59, Chapter 8a, Gross Receipts Tax on Electrical Corporations Act, take effect on the later of:

(a) July 1, 2006; or

(b) the day on which the rates determined by the commission take effect under the electrical corporation's 2006 general rate case filed on or before September 1, 2006.

Senator Dmitrich's motion to amend passed on a voice vote.

# # #

Senator Hillyard proposed the following amendment:

1. Page 5, Lines 144 through 146

144 [~~**(1)** For taxable years beginning~~] (1) Beginning on or after July 1, [~~1996~~] 2006, and subject

145 to Section 11−13−303, an in lieu excise tax is imposed on the gross receipts of a taxpayer

146 engaging in business in the state of Utah in each taxable year as follows:

2. Page 5, Line 147 through Page 6, Line 156:

	Gross Receipts Amount	Rate of Tax
148	Not in excess of $10,000,000	None
149	In excess of $10,000,000 but not	
150	in excess of $500,000,000	[~~.8613%~~] .6250%
151	In excess of $500,000,000 but not	
152	in excess of $1,000,000,000	[~~1.3214%~~] .9375%
153	In excess of $1,000,000,000	[~~1.7520%~~] 1.2500%

154 [~~(2) A taxpayer subject to the in lieu excise tax under Subsection (1) is not required to~~

155 ~~pay the tax imposed under Title 59, Chapter 8a, Gross Receipts Tax on Electrical Corporations~~

156 ~~Act.~~]

(2) It is the intent of the Legislature that, as a result of the tax rate decrease provided in Section 59−8−104 of this bill, all or a portion of any cost decrease received by a taxpayer as a result of the tax rate decrease be used in whole or in part for expenditures, scholarships, or grants that will benefit the citizens of this state.

3. Page 6, Lines 168 through 172:

168 Section 7. Revisor instructions.

169 It is the intent of the Legislature that, in preparing the Utah Code database for

170 publication, the Office of Legislative Research and General Counsel shall replace the {~~reference~~} references

171 in Subsections 54−7−12.9(1)(a)(ii), {~~and~~} (2)(a)(i), and Subsection 59−8−104(2) from "this bill" to the bill's designated section and chapter

172 number in the Laws of Utah.

Senator Hillyard's motion to amend passed on a voice vote. Senators Waddoups and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Evans

* * *

On motion of Senator Knudson and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Thursday, January 26, 2006.

JANUARY 26, 2006

ELEVENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Pastor Eric Morgan, Living Waters Christian Church
Pledge of Allegiance − Senator Scott Jenkins
Roll Call − All Senators present except Senators Buttars and Hatch, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 25, 2006

The House passed, **S.B. 6**, HEALTH AND HUMAN SERVICES SUNSET AND REPORTING AMENDMENTS, by Senator A. Christensen, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 7**, CHILD PROTECTION AMENDMENTS, by Senator G. Bell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 20**, REPEAL OF UTAH DIGITAL SIGNATURE ACT, by Senator L. Hillyard, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 40**, MINE SAFETY AND CERTIFICATE AMENDMENTS, by Senator M. Dmitrich, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 143**, REVISOR'S STATUTE, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 3**, INTERIM RULES RESOLUTION − QUORUM REQUIREMENTS, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 4**, INTERIM RULES RESOLUTION − COMMITTEE POWERS, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 6, S.B. 7, S.B. 20, S.B. 40, S.B. 143, S.J.R. 3, and **S.J.R. 4** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: January 25, 2006

The House passed, as amended, **H.B. 31**, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 78**, INVESTMENT OF LAND GRANT TRUST FUNDS, by Representative D. Clark, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 83**, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, by Representative Julie Fisher, and it is transmitted for consideration; and

The House passed **H.B. 213**, SERVICES FOR PEOPLE WITH BRAIN INJURIES, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 233**, INSURANCE LICENSING AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 31, H.B. 78, H.B. 83, H.B. 213** and **H.B. 233** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 25, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 101**, COUNTY ASSISTANCE TO NONPROFIT ENTITIES, by Senator D. Thomas; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 117**, EMINENT DOMAIN AMENDMENTS, by Senator H. Stephenson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 158**, ADMINISTRATIVE RULEMAKING AUTHORITY AMENDMENTS, by Senator H. Stephenson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.J.R. 2**, RESOLUTION ENLARGING REVENUES AND ASSETS IN STATE TRUST FUND, by Senator L. Hillyard.

Parley G. Hellewell, Chair

Mr. President: January 24, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 141**, RESPONSE TO HIPPA CHANGES, by Senator P. Knudson, with the following amendments:

1. Page 1, Line 1:

1 RESPONSE TO {~~HIPPA~~} HIPAA CHANGES; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 146**, PHYSICIAN ASSISTANTS AND PUBLIC HEALTH AMENDMENTS, by Senator G. Bell; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 152**, MEDICAID TASK FORCE, by Senator S. Killpack; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 21**, CHILD WELFARE REVISIONS, by Representative W. Harper; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 23**, OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS, by Representative W. Harper; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 25**, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, by Representative W. Harper, with the following amendments:

1. Page 2, Line 40a
   House Floor Amendments
   1−18−2006:

40a { Ĥ→ ~~62A−4a−101, as last amended by Chapter 95, Laws of Utah 2005~~ ←Ĥ }

2. Page 14, Line 405a through Page 14d, Line 405en
   a. House Floor Amendments
   b. 1−18−2006:

405a { Ĥ→ ~~Section 6. Section 62A−4a−101 is amended to read:~~

405b ~~62A−4a−101. Definitions.~~

405c ~~As used in this chapter:~~

405d ~~(1) "Abuse" means:~~

405e ~~(a) actual or threatened nonaccidental physical or mental harm;~~

405f ~~(b) negligent treatment;~~

405g ~~(c) sexual exploitation; or~~

405h ~~(d) any sexual abuse.~~

405i ~~(2) "Adoption services" means:~~

405j ~~(a) placing children for adoption;~~

405k ~~(b) subsidizing adoptions under Section 62A−4a−105;~~

405l ~~(c) supervising adoption placements until the adoption is finalized by the court;~~

405m ~~(d) conducting adoption studies;~~

405n ~~(e) preparing adoption reports upon request of the court; and~~

405o ~~(f) providing postadoptive placement services, upon request of a family, for the purpose of~~

405p ~~stabilizing a possible disruptive placement.~~

405q ~~(3) "Board" means the Board of Child and Family Services established in accordance with~~

405r ~~Sections 62A−1−105, 62A−1−107, and 62A−4a−102.~~

405s ~~(4) "Child" has the same meaning as "minor," as defined in this section.~~

405t ~~(5) "Consumer" means a person who receives services offered by the division in accordance~~

405u ~~with this chapter.~~

405v ~~(6) "Chronic physical abuse" means repeated or patterned physical abuse.~~

405w ~~(7) "Chronic neglect" means a repeated or patterned failure or refusal by a parent, guardian,~~

405x ~~or custodian to provide necessary care for a minor's safety, morals, or well−being.~~

405y ~~(8) "Chronic emotional abuse" means repeated or patterned emotional abuse.~~

405z ~~(9) "Custody," with regard to the division, means the custody of a child in the division as of~~

405aa ~~the date of disposition.~~

405ab ~~(10) "Day−care services" means care of a child for a portion of the day which is less than 24~~

405ac ~~hours:~~

405ad ~~(a) in the child's own home by a responsible person; or~~

405ae ~~(b) outside of the child's home in a:~~

405af ~~(i) day−care center;~~

405ag ~~(ii) family group home; or~~

405ah ~~(iii) family child care home.~~

405ai ~~(11) "Dependent child" or "dependency" means a child, or the condition of a child, who is~~

405aj ~~homeless or without proper care through no fault of the child's parent, guardian, or custodian.~~

405ak ~~(12) "Director" means the director of the Division of Child and Family Services.~~

405al ~~(13) "Division" means the Division of Child and Family Services.~~

405am ~~(14) (a) "Domestic violence services" means:~~

405an ~~(i) temporary shelter, treatment, and related services to persons who are victims of abuse and~~

405ao ~~their dependent children; and~~

405ap ~~(ii) treatment services for domestic violence perpetrators.~~

405aq ~~(b) As used in this Subsection (14):~~

405ar ~~(i) "abuse" means the same as that term is defined in Subsection 30−6−1(1); and~~

405as ~~(ii) "domestic violence perpetrator" means a person who is alleged to have committed, has~~

405at ~~been convicted of, or has pled guilty to an act of domestic violence as defined in Subsection 77−36−1(2).~~

405au ~~(15) "Homemaking service" means the care of individuals in their domiciles, and help given to~~

405av ~~individual caretaker relatives to achieve improved household and family management through the~~

405aw ~~services of a trained homemaker.~~

405ax ~~(16) (a) "Minor" means a person under 18 years of age.~~

405ay ~~(b) "Minor" may also include a person under 21 years of age for whom the division has been~~

405az ~~specifically ordered by the juvenile court to provide services.~~

405ba ~~(17) "Natural parent" means a minor's biological or adoptive parent, and includes a minor's~~

405bb ~~noncustodial parent.~~

405bc ~~(18) (a) "Neglect" means:~~

405bd ~~(i) abandonment of a child, except as provided in Part 8, Safe Relinquishment of a Newborn~~

405be ~~Child;~~

405bf ~~(ii) subjecting a child to mistreatment or abuse;~~

405bg ~~(iii) lack of proper parental care by reason of the fault or habits of the parent, guardian, or~~

405bh ~~custodian;~~

405bi ~~(iv) failure or refusal of a parent, guardian, or custodian to provide proper or necessary~~

405bj ~~subsistence, education, or medical care, including surgery or psychiatric services when required, or~~

405bk ~~any other care necessary for the child's health, safety, morals, or well−being; or~~

405bl ~~(v) a child at risk of being neglected or abused because another child in the same home is~~

405bm ~~neglected or abused.~~

405bn ~~(b) The aspect of neglect relating to education, described in Subsection (18)(a)(iv), means that,~~

405bo ~~after receiving notice that a child has been frequently absent from school without good cause, or~~

405bp ~~that the child has failed to cooperate with school authorities in a reasonable manner, a parent or~~

405bq ~~guardian fails to make a good faith effort to ensure that the child receives an appropriate education.~~

405br ~~(c) A parent or guardian legitimately practicing religious beliefs and who, for that reason, does~~

405bs ~~not provide specified medical treatment for a child, is not guilty of neglect.~~

405bt ~~(d) (i) Notwithstanding Subsection (18)(a), a health care decision made for a child by the~~

405bu ~~child's parent or guardian does not constitute neglect unless the state or other party to the proceeding~~

405bv ~~shows, by clear and convincing evidence, that the health care decision is not reasonable and informed.~~

405bw ~~(ii) Nothing in Subsection (18)(d)(i) may prohibit a parent or guardian from exercising the~~

405bx ~~right to obtain a second health care opinion.~~

405by ~~(19) "Protective custody," with regard to the division, means the shelter of a child by the~~

405bz ~~division from the time the child is removed from the child's home until the earlier of:~~

405ca ~~(a) the shelter hearing; or~~

405cb ~~(b) the child's return home.~~

405cc ~~(20) "Protective services" means expedited services that are provided:~~

405cd ~~(a) in response to evidence of neglect, abuse, or dependency of a minor;~~

405ce ~~(b) to a cohabitant who is neglecting or abusing a child, in order to:~~

405cf ~~(i) help the cohabitant develop recognition of the cohabitant's duty of care and of the causes of~~

405cg ~~neglect or abuse; and~~

405ch ~~(ii) strengthen the cohabitant's ability to provide safe and acceptable care; and~~

405ci ~~(c) in cases where the child's welfare is endangered:~~

405cj ~~(i) to bring the situation to the attention of the appropriate juvenile court and law enforcement~~

405ck ~~agency;~~

405cl ~~(ii) to cause a protective order to be issued for the protection of the minor, when appropriate;~~

405cm ~~and~~

405cn ~~(iii) to protect the child from the circumstances that endanger the child's welfare including,~~

405co ~~when appropriate:~~

405cp ~~(A) removal from the child's home;~~

405cq ~~(B) placement in substitute care; and~~

405cr ~~(C) petitioning the court for termination of parental rights.~~

405cs ~~(21) "Services to unwed parents" means social, educational, and medical services arranged for~~

405ct ~~or provided to unwed parents to help them plan for themselves and the unborn child.~~

405cu ~~(22) "Severe neglect" means neglect that causes or threatens to cause serious harm to a minor.~~

405cv ~~(23) "Shelter care" means the temporary care of minors in nonsecure facilities.~~

405cw ~~(24) "State" means:~~

405cx ~~(a) a state of the United States;~~

405cy ~~(b) the District of Columbia;~~

405cz ~~(c) the Commonwealth of Puerto Rico;~~

405da ~~(d) the Virgin Islands;~~

405db ~~(e) Guam;~~

405dc ~~(f) the Commonwealth of the Northern Mariana Islands; or~~

405dd ~~(g) a territory or possession administered by the United States.~~

405de ~~(25) "Severe emotional abuse" means emotional abuse that causes or threatens to cause~~

405df ~~serious harm to a minor.~~

405dg ~~(26) "Severe physical abuse" means physical abuse that causes or threatens to cause serious~~

405dh ~~harm to a minor.~~

405di ~~(27) "State plan" means the written description of the programs for children, youth, and~~

405dj ~~family services administered by the division in accordance with federal law.~~

405dk ~~(28) "Status offense" means a violation of the law that would not be a violation but for the age~~

405dl ~~of the offender.~~

405dm ~~(29) "Substantiated" or "substantiation" means a judicial finding based on a preponderance~~

405dn ~~of the evidence that abuse or neglect occurred. Each allegation made or identified in a given case shall~~

405do ~~be considered separately in determining whether there should be a finding of substantiated.~~

405dp ~~(30) "Substitute care" means:~~

405dq ~~(a) the placement of a minor in a family home, group care facility, or other placement outside~~

405dr ~~the minor's own home, either at the request of a parent or other responsible relative, or upon court~~

405ds ~~order, when it is determined that continuation of care in the child's own home would be contrary to~~

405dt ~~the child's welfare;~~

405du ~~(b) services provided for a child awaiting placement; and~~

405dv ~~(c) the licensing and supervision of a substitute care facility.~~

405dw ~~(31) "Supported" means a finding by the division based on the evidence available at the~~

405dx ~~completion of an investigation that there is a reasonable basis to conclude that abuse, neglect, or~~

405dy ~~dependency occurred. Each allegation made or identified during the course of the investigation shall~~

405dz ~~be considered separately in determining whether there should be a finding of supported.~~

405ea ~~(32) "Temporary custody," with regard to the division, means the custody of a child in the~~

405eb ~~division from the date of the shelter hearing until disposition.~~

405ec ~~(33) "Transportation services" means travel assistance given to an individual with escort~~

405ed ~~service, if necessary, to and from community facilities and resources as part of a service plan.~~

405ee ~~(34) "Unsubstantiated" means~~ Ĥ→ except as provided in Subsections 62A−4a−1008(1)(a) and

405ef (1)(b)(ii). ←Ĥ ~~a judicial finding that there is insufficient evidence to conclude that abuse or neglect~~

405eg ~~occurred.~~

405eh ~~(35) "Unsupported" means a finding at the completion of an investigation that there is~~

405ei ~~insufficient evidence to conclude that abuse, neglect, or dependency occurred. However, a finding of~~

405ej ~~unsupported means also that the division worker did not conclude that the allegation was without~~

405ek ~~merit.~~

405el ~~(36) "Without merit" means a finding at the completion of an investigation by the division, or~~

405em ~~a judicial finding, that the alleged abuse, neglect, or dependency did not occur, or that the alleged~~

405en ~~perpetrator was not responsible for the abuse, neglect, or dependency.~~ ~~←Ĥ~~ }

Renumber remaining sections accordingly

3. Page 29, Lines 865 through 874a:

865 [~~62A-4a-116.4~~]. 62A-4a-1008. Timeframes for deletion of specified

866 information or reports.

867 (1) {~~Ĥ→~~ ~~(a) For purposes of Subsection (1)(b)(ii) only, "unsubstantiated" means a~~

867a ~~finding by the division that there is insufficient evidence to conclude that abuse or neglect~~

867b ~~occurred.~~

867c ~~**(b)**~~ ~~←Ĥ~~ } Unless the executive director determines that there is good cause for keeping a

868 report of abuse or neglect in the Management Information System, based on standards

869 established by rule, the division shall delete any reference to:

870 Ĥ→ {~~[~~} (a) {~~]~~} {~~**(i)**~~ } ←Ĥ a report that is Ĥ→ {~~determined by the division to be~~ } ←Ĥ without merit,

870a if no subsequent report involving the same alleged

871 perpetrator Ĥ→ {~~[~~} has occurred {~~]~~} {~~is made~~ } ←Ĥ within one year Ĥ→ {~~after the day on which the~~

871a ~~division determines that the report is without merit~~ } Ĥ;Ĥ→ {~~[~~} or {~~]~~}

871b {~~(ii) a report that, before May 1, 2002, is determined by the division to be~~

871c ~~unsubstantiated, if no subsequent report involving the same alleged perpetrator is made within~~

871d ~~five years after the day on which the division determines that the report is unsubstantiated;~~

871e ~~(iii) a report that, on or after May 1, 2002, is determined by the division to be~~

871f ~~unsupported, if no subsequent report involving the same alleged perpetrator is made within~~

871g ~~five years after the day on which the division determines that the report is~~

871h ~~unsupported; or~~ }

872 {~~[~~} (b) {~~]~~} {~~**(iv)**~~ } ←Ĥ a report that [~~**has been**~~] **is** determined by a court of competent

872a jurisdiction to be

873 unsubstantiated or without merit, if no subsequent report involving the same alleged

874 perpetrator Ĥ→ {~~[~~} has occurred {~~]~~} {~~is made~~ } ←Ĥ within five years Ĥ→ {~~after the day on which the~~

874a ~~court determines that the report is unsubstantiated or without merit~~ } ←Ĥ .

Allen M. Christensen, Chair

Mr. President: January 25, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 139**, REPORTABLE TRANSACTIONS ACT, by Senator H. Stephenson, with the following amendments:

1. Page 4, Line 94 through Page 5, Line 139:

94 **(**2) (a) A taxpayer described in Subsection (1) shall disclose a reportable transaction to

95 the commission in a manner required by the commission by rule made in accordance with Title

96 63, Chapter 46a, Utah Administrative Rulemaking Act.

97 (b) If a taxpayer described in Subsection (1) is required to file a disclosure statement

98 under 26 C.F.R. Sec. 1.6011−4, the taxpayer shall provide the commission a copy of that

99 disclosure statement in a manner required by the commission by rule made in accordance with

100 Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

101 { ~~(3) Except as provided in Subsection (4), a taxpayer shall disclose a reportable~~

102 ~~transaction to the commission in the manner required by the commission by rule in accordance~~

103 ~~with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.~~ }

104 { ~~(4)~~ } (3) (a) For a listed transaction entered into on or after January 1, 2004, but on or before

105 December 31, 2006, a disclosure statement required by this section shall be attached to:

106 (i) (A) the taxpayer's income tax return for the taxable year beginning on or after

107 January 1, 2007 but beginning on or before December 31, 2007; and

108 (B) any amended income tax return that the taxpayer files for the taxable year

109 beginning on or after January 1, 2007 but beginning on or before December 31, 2007; and

110 (ii) subject to Subsection { ~~(4)~~ } (3) (b):

111 (A) the taxpayer's income tax return for any taxable year after the taxable year

112 beginning on or after January 1, 2007 but beginning on or before December 31, 2007, for

113 which there is a reduction in income tax as a result of the listed transaction; and

114 (B) any amended income tax return for any taxable year after the taxable year

115 beginning on or after January 1, 2007 but beginning on or before December 31, 2007, for

116 which there is a reduction in income tax as a result of the listed transaction.

117 (b) For purposes of Subsection { ~~(4)~~ } (3) (a)(ii), a reduction in income tax as a result of a

118 listed transaction includes a loss, credit, or deduction if the loss, credit, or deduction results

119 from a listed transaction that is carried forward or carried back.

120 {~~(5)~~} (4) For a reportable transaction entered into on or after January 1, 2004, a disclosure

121 statement required by this section shall be attached to an amended income tax return filed on or

122 after January 1, 2007, if the filing of the amended income tax return reflects a determination by

123 the Internal Revenue Service of the federal income tax treatment of the reportable transaction.

124 {~~(6)~~} (5) (a) For a reportable transaction entered into on or after January 1, 2007, a disclosure

125 statement required by this section shall be attached to:

126 (i) (A) the taxpayer's income tax return for the taxable year during which the

127 transaction was entered into; and

128 (B) any amended income tax return that the taxpayer files for the taxable year during

129 which the transaction was entered into; and

130 (ii) subject to Subsection {~~(6)~~} (5) (b):

131 (A) the taxpayer's income tax return for any taxable year after the taxable year during

132 which the transaction was entered into, for which there is a reduction in income tax as a result

133 of the reportable transaction; and

134 (B) any amended income tax return for any taxable year after the taxable year during

135 which the transaction was entered into, for which there is a reduction in income tax as a result

136 of the reportable transaction.

137 (b) For purposes of Subsection {~~(6)~~} (5) (a)(ii), a reduction in income tax as a result of a

138 reportable transaction includes a loss, credit, or deduction if the loss, credit, or deduction

139 results from a reportable transaction that is carried forward or carried back. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 154**, SALES AND USE TAX EXEMPTION FOR CERTAIN ADMISSIONS TO OR RIGHTS TO USE THE PREMISES OF A PRIVATE CLUB, by Senator M. Dmitrich; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 51**, SALES AND USE TAXATION OF AMUSEMENT DEVICES AND CLEANING OR WASHING OF TANGIBLE PERSONAL PROPERTY, by Representative W. Harper.

Curtis S. Bramble, Chair

Mr. President: January 24, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 54**, REVENUE FLOW FROM SPEEDING VIOLATIONS, by Senator J. Hickman, with the following amendments:

1. Page 1, Line 15:
After "requires" delete "district courts and" and after "pay" insert "1/2 of"

2. Page 1, Line 17:
After "state treasurer" insert "if the citation was issued by a law enforcement agency employed by a county or municipality"

3. Page 1, Line 25:
Delete line 25

4. Pages 2−3, Lines 29−65:
Delete lines 29−65

5. Page 4, Line 95:
Delete "paid to the state treasurer" and insert "remitted 1/2 to the state treasurer and 1/2 in accordance with Subsection (1) if the citation for the violation was issued by a law enforcement agency employed by a county or municipality."; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 119**, REPEAL OF OFF−HIGHWAY VEHICLE REGISTRATION NUMBER, by Senator T. Hatch; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 20**, COMMERCIAL DRIVER TRAINING SCHOOL ACT AMENDMENTS, by Representative J. Dunnigan; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 35**, STATE HIGHWAYS AMENDMENTS, by Representative J. Murray.

Sheldon L. Killpack, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 101, S.B. 117, S.B. 158, S.J.R. 2, S.B. 141,** as amended, **S.B. 146, S.B. 152, H.B. 21, H.B. 23, H.B. 25,** as amended, **S.B. 139,** as amended, **S.B. 154, H.B. 51, S.B. 54,** as amended, **S.B. 119, H.B. 20,** and **H.B. 35** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 77, **Classification and Inspection of Records Under Grama** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 91, **Regulation of Restraint, Seclusion, and Emergency Medication** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 175, **Correctional Facility Bidding Process** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 176, **Contact Lens Consumer Protection Act** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 177, **Water Right Application Amendment** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 178, **State Executive Compensation − Department of Health** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 179, **Amendments to Sales and Use Tax Exemptions for Certain Vehicles, Boats, Boat Trailers, and Outboard Motors** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 180, **Motor Vehicle Lease Agreements** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 181, **Restoration of Felon's Right to Hold Office** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Hillyard, the Senate voted to move the Time Certain for **S.B. 16,** CIVIL ANTITRUST AMENDMENTS, from today at 11:00 a.m. to Friday, January 27, 2006 at 11:00 a.m.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, U. S. Congressman Jim Matheson spoke in Committee of the Whole. Senators Dmitrich, Arent, Evans, Walker, Hale, and Peterson commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

On motion of Senator Thomas, the circle was removed from **S.B. 15**, GRAMA APPEALS PROCESS AND DOCUMENT REQUEST AMENDMENTS, and it was before the Senate. Senator Thomas explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 14 through 15

   14 ▶ provides that a governmental entity need not fulfill a record request if the record requested is accessible in the same physical form and content in a public publication produced by the governmental entity and if the governmental entity provides the requester with the publication and specifies where the record may be found in the publication;
   ” designates a request for a record that relates to a notice of claim under the

   15 Governmental Immunity Act of Utah as an extraordinary circumstance;

2. Page 1, Lines 16 through 17:

   16 ▶ requires that appeals be heard by the state records committee before being appealed

   17 to the judiciary <u>unless both the requester and the governmental entity agree, in writing, to make an appeal directly to the judiciary</u> ;

3. Page 2, Lines 35 through 36:

35 63−2−401, as last amended by Chapter 280, Laws of Utah 1992
63−2−402, as last amended by Chapter 280, Laws of Utah 1992

4. Page 2, Lines 39 through 41:

40 {~~REPEALS:~~

41 ~~63−2−402, as last amended by Chapter 280, Laws of Utah 1992~~}

5. Page 4, Lines 94 through 99b
Senate 2nd Reading Amendments
1−24−2006:

94 (8) (a) [~~A~~] In response to a request, a governmental entity is not required to:

95 (i) create a record [~~in response to a request.~~]; or

96 (ii) fulfill a person's records request if {~~:~~

97 ~~(A)~~ ~~–~~} the request unreasonably duplicates prior records requests from that person; or

98 {~~(B) the information requested is included~~}
(iii) fulfill a person's records request if:
(A) the record requested is accessible in the identical physical form and content in a public publication or product produced

99 by {~~a~~} the governmental entity receiving the request; Ŝ➔ {~~and~~}
(B) the governmental entity {~~receiving the request~~} provides the person

99a requesting the record with {~~a copy of or access to~~} the public publication or product ; and {~~informs the person~~} (C) the governmental entity specifies

99b where the {~~information~~} record can be found in the public publication or product ←Ŝ .

6. Page 13, Lines 386 through 387:

386 (a) notice that the requester has the right to appeal the denial to {~~[~~} either {~~]~~} the records

387 committee {~~[~~} or district court, {~~]~~} ;

7. Page 13, Line 398:

398 (9) The duties of the chief administrative officer under this section may be delegated.

Section 5. Section 63−2−402 is amended to read:

63−2−402. Option for appealing a denial.

(1) If the chief administrative officer of a governmental entity denies a records request under Section 63−2−401, the requester may:

(a) appeal the denial to the records committee as provided in Section 63−2−403; or

(b) if both the requester and the governmental entity agree in writing, petition for judicial review in district court as provided in Section 63−2−404.

(2) Any person aggrieved by a determination of the chief administrative officer of a governmental entity under this chapter, including persons who did not participate in the governmental entity's proceeding, may appeal the determination to the records committee as provided in Section 63−2−403.

Renumber remaining sections accordingly.

8. Page 18, Line 538 through Page 19, Line 578:

538 {┼} (2) (a) A requester may petition for judicial review by the district court of a

539 governmental entity's determination as specified in Subsection 63−2−402 (1)(b). {┼}

540 {┼} (b) The requester shall file a petition no later than: {┼}

541 {┼} (i) 30 days after the governmental entity has responded to the records request by either

542 providing the requested records or denying the request in whole or in part; {┼}

543 {┼} (ii) 35 days after the original request if the governmental entity failed to respond to the

544 request; or {┼}

545 {┼} (iii) 45 days after the original request for records if: {┼}

546 {┼} (A) the circumstances described in Subsection 63−2−401(1)(b) occur; and {┼}

547 {~~[~~} (B) the chief administrative officer failed to make a determination under Section

548 63−2−401. {~~]~~}

549 {~~[~~} (3) {~~]~~} {~~(2)~~ } The petition for judicial review shall be a complaint governed by the Utah

550 Rules of Civil Procedure and shall contain:

551 (a) the petitioner's name and mailing address;

552 (b) if a prior appeal was heard before the records committee. a copy of the records committee order from which the appeal is taken[~~, if the~~

553 ~~petitioner brought a prior appeal to the records committee~~];

(c) if no prior appeal was heard before the records committee, a copy of an agreement to petition the district court for review that is signed by the requester and the governmental entity as required by Section 63−2−402(1)(b);

554 {~~(c)~~} **(d)** the name and mailing address of the governmental entity that issued the initial

555 determination with a copy of that determination;

556 {~~(d)~~} **(e)** a request for relief specifying the type and extent of relief requested; and

557 {~~(e)~~} **(f)** a statement of the reasons why the petitioner is entitled to relief.

558 {~~[~~} (4) {~~]~~} {~~(3)~~} If the appeal is based on the denial of access to a protected record, the court

559 shall allow the claimant of business confidentiality to provide to the court the reasons for the

560 claim of business confidentiality.

561 {~~[~~} (5) {~~]~~} {~~(4)~~} All additional pleadings and proceedings in the district court are governed by

562 the Utah Rules of Civil Procedure.

563 {~~[~~} (6) {~~]~~} {~~(5)~~ } The district court may review the disputed records. The review shall be in

564 camera.

565 {~~[~~} (7) {~~]~~} {~~(6)~~} The court shall:

566 (a) make its decision de novo, but allow introduction of evidence presented to the

567 records committee;

568 (b) determine all questions of fact and law without a jury; and

569 (c) decide the issue at the earliest practical opportunity.

570 {~~[~~} (8) {~~]~~} {~~(7)~~ } (a) The court may, upon consideration and weighing of the various interests

571 and public policies pertinent to the classification and disclosure or nondisclosure, order the

572 disclosure of information properly classified as private, controlled, or protected if the interest

573 favoring access outweighs the interest favoring restriction of access.

574 (b) The court shall consider and, where appropriate, limit the requester's use and

575 further disclosure of the record in order to protect privacy interests in the case of private or

576 controlled records, business confidentiality interests in the case of records protected under

577 Subsections 63−2−304(1) [~~**and**~~]**,** (2), **(40)(a)(ii), or (40)(a)(vi)** and privacy interests or the public

578 interest in the case of other protected records.

9. Page 21, Lines 626 through 632:

626 (5) {~~[~~} If the requester concurs, the {~~]~~} {~~**A** decision of the appeals board established by the~~ }

627 political subdivision may {~~[~~} also provide for an additional level of administrative review to {~~]~~} {~~**be**~~

628 ~~appealed to~~ } the records committee in accordance with Section 63−2−403.

629 (6) Appeals of the decisions of the {~~[~~} appeals boards established by political

630 subdivisions {~~]~~} {~~records committee made under Subsection (5)~~ } shall be by petition for judicial

631 review to the district court. The contents of the petition for review and the conduct of the

632 proceeding shall be in accordance with {~~[~~} Sections 63−2−402 and {~~]~~} {~~Section~~ } 63−2−404.

10. Page 22, Lines 659 through 662:

659 Title 63, Chapter 30d, Governmental Immunity Act of Utah.

660 {~~Section 10. Repealer.~~

661 ~~This bill repeals:~~

662 ~~Section 63−2−402, Option for appealing a denial~~ } .

Senator Bramble's motion to amend passed on a voice vote. Senators Arent and Goodfellow commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Fife	Hatch

S.B. 15, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Mayne, the circle was removed from **S.B. 48**, SCHOOL NURSES LEGISLATIVE TASK FORCE, and it was before the Senate. Senator Mayne explained the bill.

On motion of Senator Mayne, the following substitute bill replaced the original bill:

2nd Sub. S.B. 48, School Nurses Legislative Study (E. Mayne)

Senators Stephenson, Hale, and Arent commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Peterson
Thomas			

2nd Sub. S.B. 48 was transmitted to the House for consideration.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 2006

The House passed **H.B. 258**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS, by Representative B. Ferry, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communication filed. **H.B. 258** was read the first time and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 31, SALES AND USE TAX − MANUFACTURING EXEMPTIONS AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Thomas

S.B. 31 was transmitted to the House for consideration.

* * *

H.B. 33, INSURANCE RELATED INVESTMENT AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Thomas

H.B. 33 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 32, MULTI−CHANNEL VIDEO OR AUDIO SERVICE TAX − COUNTY OR MUNICIPALITY FRANCHISE FEE TAX CREDIT, was read the third time and explained by Senator Goodfellow. Senators McCoy, Bramble, and Madsen commented and the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Madsen

Absent or not voting were: Senators
Buttars Hatch

S.B. 32 was transmitted to the House for consideration.

* * *

S.B. 33, SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS, was read the third time.

On motion of Senator Stephenson, the bill was circled.

* * *

1st Sub. S.B. 35, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS, was read the third time and explained by Senator Bell. Senators Jenkins and Bramble commented and the bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators
Dmitrich Jenkins

Absent or not voting were: Senators
Buttars Hatch

1st Sub. S.B. 35 was transmitted to the House for consideration.

* * *

Senator Madsen asked leave of the body to change his vote on **S.B. 32** to an aye vote. The vote will now read:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hatch

* * *

S.B. 112, CENTERS OF EXCELLENCE AMENDMENTS, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hickman
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hatch	Hellewell	Hillyard
Jenkins			

S.B. 112 was transmitted to the House for consideration.

* * *

S.B. 120, GOVERNOR'S RURAL PARTNERSHIP BOARD AMENDMENTS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hellewell	Hickman

S.B. 120 was transmitted to the House for consideration.

* * *

S.B. 111, WATER CONSERVANCY DISTRICT AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Hickman

S.B. 111 was transmitted to the House for consideration.

* * *

S.B. 51, DRIVING WITH A CONTROLLED SUBSTANCE IN THE BODY − AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Hickman

S.B. 51 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 41, RESTRICTIONS ON USE OF PHYSICIAN DISCLOSURES, was read the third time.

On motion of Senator Thomas, the bill was circled.

* * *

S.B. 34, GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Davis	Hatch	Hickman

S.B. 34 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Thomas, the Senate voted to lift **S.B. 103** to the top of the Second Reading Calendar.

S.B. 103, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES, was read the second time.

On motion of Senator Thomas, the bill was circled.

* * *

On motion of Senator Dmitrich, the circle was removed from **S.B. 45**, OIL AND GAS CONSERVATION ACCOUNT AMENDMENTS, and it was before the Senate. Senator Dmitrich explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hickman	Madsen

* * *

Senator Davis asked leave of the body to cast an aye vote on **S.B. 34.** The vote will now read:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Hickman

* * *

On motion of Senator Knudson and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Friday, January 27, 2006.

JANUARY 27, 2006

TWELFTH DAY

MORNING SESSION

The Senate was called to order at 10:20 a.m., with President John Valentine presiding.

Prayer − JoAnn Seghini, Mayor of Midvale City
Pledge of Allegiance − Senator Scott McCoy
Roll Call − All Senators present except Senators Hatch and Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

Senator Stephenson moved to spread the words of Mayor Seghini's prayer upon the pages of the Senate Journal.

PRAYER BY JOANN SEGHINI

Our Dear and Loving God,

We come before you at the opening of this session of the Utah State Senate. We share many beliefs and attributes. We recognize that, as government, we are part of the greatest constitutional republic that has ever been conceived. This republic is based on the principles of freedoms for all people, rising from the choice and voice of those people. Government exists to protect those freedoms. Help us to remember that we are the representatives of the governed. Our task is difficult. Our job is not to define freedom; rather, it is to support the laws of nature and nature's God as defined in the Bill of Rights and our constitution. We are asked to protect each person's life, liberty, and right to pursue happiness. It is important to protect each person's right to enjoy the fruits of his or her own labors. They, as the people, have the protected right to express their own sentiments, to defend their nation, and to live their lives according to their conscience.

Help us, as elected officials while in the public square, to work for the welfare of the people. Discussions, in that public square, must seek solutions through civil discourse designed to find common ground and to support the common good. Our founders have described our responsibilities as coming from you, the supreme source and our Creator. It is our responsibility to remember that ours, then, is a solemn duty as we work as one nation, one state, one community, under God's direction.

We are called public servants; Hence, we are called to serve. Help us make decisions with equal concern for the powerful and the powerless. Let our work reflect the higher purpose to which we are called. Let us remember that our service is to preserve those principles that represent our government and direct us to protect the freedom of all people while we serve those who have chosen us to be their protectors.

Dear God, we pray for your direction and thank you for your love. Amen

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 27, 2006

The House passed, as substituted and amended, **H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS AND TAX RATES, by Representative M. Newbold, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communication filed. **H.B. 109** was read the first time and referred to the Rules Committee.

* * *

Mr. President: January 26, 2006

The House passed, as amended, **S.B. 3**, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, by Senator H. Stephenson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 26, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 76	Lenders Registration Acts Amendments (Sen. E. Mayne)
S.B. 162	Department of Financial Institutions Enforcement of Applicable Law (Sen. L. Hillyard)

Government Operations/Political Subdivisions Committee

S.B. 66	Price Controls During Emergencies Amendments (Sen. P. Arent)

S.B. 77	Classification and Inspection of Records Under Grama (Sen. M. Madsen)
S.B. 105	County Officer Revisions (Sen. C. Walker)
H.B. 258	Government Records Access and Management Act − Public Records (Rep. B. Ferry)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 173	Licensure of Programs and Facilities − Criminal Background Check Amendments (Sen. T. Hatch)

Natural Resources, Agriculture, and Environment Committee

S.B. 177	Water Right Application Amendment (Sen. T. Hatch)

Revenue and Taxation Committee

S.B. 64	Legislative Compensation Commission Amendments (Sen. G. Bell)
S.B. 102	Gifts to Public Officials (Sen. G. Bell)
S.B. 175	Correctional Facility Bidding Process (Sen. H. Stephenson)
S.J.R. 7	Joint Rules Resolution Amending Legislative Expenses (Sen. G. Bell)
H.B. 52	Sales and Use Tax Exemption for Transportation (Rep. W. Harper)
H.B. 101	Lobbyist Gift Limits and Disclosure (Rep. J. Alexander)

Transportation/Public Utilities/Technology Committee

S.B. 180	Motor Vehicle Lease Agreements (Sen. M. Madsen)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

On motion of Senator Waddoups the Senator voted to lift **S.B. 42** from the Business and Labor Committee and assign it to the Health and Humans Services Committee and to lift **S.B. 170** from the Government Operations/Political Subdivisions Committee and assign it to the Business and Labor Standing Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 26, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 71**, CONSUMER CREDIT PROTECTION, by Senator C. Walker; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 123**, UTAH CONSUMER CREDIT CODE AMENDMENTS, by Senator P. Knudson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 147**, DIVISION OF CONSUMER PROTECTION AMENDMENTS, by Senator D. Eastman.

Scott K. Jenkins, Chair

Mr. President: January 26, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 94**, AMENDMENTS TO UTAH COMPREHENSIVE HEALTH INSURANCE POOL, by Senator G. Davis; and

The Health and Human Services Committee reports a favorable recommendation on **S.R. 3**, RESOLUTION URGING PARTICIPATION BY TAIWAN IN WORLD HEALTH ORGANIZATION, by Senator C. Bramble, et al.

Allen M. Christensen, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 71, S.B. 123, S.B. 147, S.B. 94,** and **S.R. 3** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 78, **Alternative School Building Plans** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 79, **Uniform Debt−management Services Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 88, **Disclosure of Driver License Records** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 89, **Sales and Use Tax − Attachment of Tangible Personal Property to Real Property** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 90, **Homeowners Association Provisions** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.B. 182, **Direct Sales Amendments** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 183, **Utah Emergency Medical Services Act Amendments** (D. Eastman), read the first time by short title and referred to the Rules Committee.

S.B. 184, **Criminal Identity Fraud Amendments** (C. Walker), read the first time by short title and referred to the Rules Committee.

S.B. 185, **Drug Offender Reform Act Amendments** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 186, **Revocation of Death Benefits by Divorce** (K. Hale), read the first time by short title and referred to the Rules Committee.

S.B. 187, **Science and Technology Education Program** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 188, **Private Investigator Regulation Act Amendments** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.C.R. 3, **Concurrent Resolution Honoring America's Military War Dogs** (E. Mayne), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 93, BOILER AND ELEVATOR SAFETY PROVISIONS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Hatch

S.B. 93 was transmitted to the House for consideration.

THIRD READING CALENDAR

S.B. 45, OIL AND GAS CONSERVATION ACCOUNT AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Hatch

S.B. 45 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Dmitrich, the circle was removed from **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, and it was before the Senate. Senator Dmitrich explained the bill. Senator Goodfellow commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Hatch

* * *

On motion of Senator Thomas, the circle was removed from **S.B. 103**, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES, and it was before the Senate.

On motion of Senator Thomas, the following substitute bill replaced the original bill.

1st Sub. S.B. 103 Prohibition of Contingent Fees for Expert Witnesses (D. Thomas)

On motion of Senator Thomas, the bill was circled.

* * *

1st Sub. S.B. 50, JAIL FUNDING AMENDMENTS, was read the second time. Senator Thomas explained the bill. Senators Bramble, Stephenson, Hillyard, Peterson, Goodfellow, Hickman, and Evans commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Voting in the negative was: Senator
Valentine

Absent or not voting were: Senators
Buttars Hatch

TIME CERTAIN CALENDAR

S.B. 16, CIVIL ANTITRUST AMENDMENTS, was read the third time and explained by Senator Hillyard.

Senator Bell proposed the following amendment:

1. Page 4, After Line 107, insert

(11) In any action brought under this act, the court shall approve all attorney's fees and arrangements for the payment of attorney's fees, including contingency fee agreements.

Senator Bell's motion to amend passed on a voice vote. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Walker

S.B. 16, as amended, was transmitted to the House for consideration.

COMMITTEE OF THE WHOLE

On motion of Senator Hillyard, Utah Attorney General Mark Shurtliff spoke in Committee of the Whole.

On motion of Senator Hillyard, the Committee of the Whole was dissolved.

SECOND READING CALENDAR

1st Sub. S.B. 55, ELECTION REFORM, was read the second time. Senator Mansell explained the bill.

On motion of Senator Mansell, the following substitute bill replaced the original bill.

2nd Sub. S.B. 55 Election Reform (L. A. Mansell)

Senators McCoy, Madsen, Walker, Waddoups, Bell, Arent, and Fife commented.

Senator McCoy proposed the following amendment:

1. Page 11, Line 321:
   After "based on" insert "a candidate's"

2. Page 11, Line 322:
   After "origin," insert "sexual orientation,"

Senator McCoy's motion to amend passed on a voice vote. Senator Walker declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Killpack

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 27, 2006

The House passed, **S.B. 14**, INSURANCE DEPARTMENT − SUNSET AMENDMENTS AND REVISIONS, by Senator S. Jenkins, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 14 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: January 27, 2006

The House passed **H.B. 41**, PRESERVATION OF AND ACCESS TO STATE PUBLICATIONS, by Representative M. Noel, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 41** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson and at 12:00 noon, the Senate adjourned until 10:00 a.m., Monday, January 30, 2006.

JANUARY 30, 2006

FIFTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:20 a.m., with President John Valentine presiding.

Prayer − Peter Dien, Logan High School student
Pledge of Allegiance − Senator Fred Fife
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 2006

The House passed **H.B. 56**, SEX OFFENDER REGISTRATION AMENDMENTS, by Representative M. S. Lawrence, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 60**, CONTROLLED SUBSTANCE AMENDMENTS, by Representative C. Oda, et al, and it is transmitted for consideration; and

The House passed **H.B. 70**, STATUTE OF LIMITATIONS ON BODILY INJURY, by Representative C. Oda, et al, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 85**, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT, by Representative K. Gibson, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 208**, AGGRAVATED MURDER AMENDMENT, by Representative S. Wyatt, et al, and it is transmitted for consideration; and

The House passed **H.B. 222**, UNBORN CHILD PAIN PREVENTION ACT, by Representative P. Ray, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 56, H.B. 60, H.B. 70, 1st Sub. H.B. 85, H.B. 208,** and **H.B. 222** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 27, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 74**, PRIVATIZATION OF GOVERNMENT FUNCTIONS TASK FORCE, by Senator H. Stephenson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS, by Senator H. Stephenson, with the following amendments:

1. Page 1, Lines 17 through 18:

17 {~~ ▶ permits unlimited aggregate damages to be awarded in a single event; and~~ }

18 ▶ provides that the limitations on damages should be adjusted after the year 2006 {~~.~~} **: and**

▶ enacts uncodified language directing the legislature to consider the issue of creating a pool or fund to provide additional funds to persons whose judgment for damages has been limited under the Governmental Immunity Act of Utah.

2. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22 {~~ **None** ~~} This bill provides an effective date.

3. Page 1, Line 25:

25 63−30d−604, as enacted by Chapter 267, Laws of Utah 2004
Uncodified Material Affected:
ENACTS UNCODIFIED MATERIAL

4. Page 2, Lines 31 through 35:

31 (1) (a) Except as provided in Subsections (2) and (3), if a judgment for damages for

32 personal injury against a governmental entity, or an employee whom a governmental entity has

33 a duty to indemnify, exceeds [~~$553,500~~] $1,000,000 for one person in any one occurrence {~~, [or~~} not to exceed an aggregate amount of

34 {~~$1,107,000~~} $10,000,000 {~~for two or more persons in any one occurrence,]~~} , for individual awards that may be awarded in relation to a single occurrence, the court shall reduce the judgment

35 to that amount.

5. Page 2, Lines 44 through 45:

44 {~~(d) There is no limit to the aggregate amount of individual awards that may be awarded~~

45 ~~in relation to a single occurrence.~~ }

6. Page 3, Line 67:

67 new limitations of judgment.

Section 2. Direction to refer to interim committee.

An appropriate legislative interim committee, as designated by the Legislative Management Committee, shall consider the issue of creating a catastrophic disaster fund or pool for the purpose of providing additional funds to persons whose recovery of damages has been capped or limited under the Governmental Immunity Act of Utah. Consideration of the issue may include adopting a supplementary pool or fund, establishing procedures, and creating a governing body or board to administer the fund.

Section 2. Effective Date

This bill takes effect on July 1, 2007. ; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 155**, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 155,** AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 258**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS, by Representative B. Ferry.

Parley G. Hellewell, Chair

Mr. President: January 27, 2006

The Workforce Services and Community and Economic Development Committee recommends **S.B. 75**, U STAR INITIATIVE, by Senator L. A. Mansell, be replaced and favorably recommends **1st Sub. S.B. 75,** U STAR INITIATIVE; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 71**, ECONOMIC DEVELOPMENT − SUNSET MODIFICATIONS, by Representative P. Wallace.

Carlene M. Walker, Chair

Mr. President: January 27, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 65**, WILDLAND FIRE SUPPRESSION AMENDMENTS, by Senator D. Thomas; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 153**, UNIFORM ENVIRONMENTAL COVENANTS ACT, by Senator L. Hillyard, with the following amendments:

1. Page 1, Line 27 through Page 2, Line 28:
   {–

   27 {~~requires the Department of Environmental Quality to establish and maintain a~~

   28 ~~registry containing all environmental covenants;~~ }

2. Page 2, Line 51:
   51 {~~57−25−112, Utah Code Annotated 1953~~ }

3. Page 10, Line 291 through Page 11, Line 334:
   29{~~1 Section 13. Section 57−25−112 is enacted to read:~~

   292 ~~57−25−112. Registry −− Substitute notice.~~

   293 ~~(1) (a) The agency shall establish and maintain a registry that contains all~~

   294 ~~environmental covenants and any amendment or termination of those covenants.~~

   295 ~~(b) The registry described in Subsection (1)(a) may also contain any other information~~

   296 ~~concerning environmental covenants and the real property subject to them that the agency~~

   297 ~~considers appropriate.~~

   298 ~~(c) The registry described in Subsection (1)(a) is a public record for purposes of Title~~

299 ~~63, Chapter 2, Government Records Access and Management Act.~~

300 ~~(2) (a) After an environmental covenant or an amendment or termination of a covenant~~

301 ~~is filed in the registry established under Subsection (1), a notice of the covenant, amendment,~~

302 ~~or termination that complies with this section may be recorded in the land records in lieu of~~

303 ~~recording the entire covenant.~~

304 ~~(b) A notice under Subsection (2)(a) must contain:~~

305 ~~(i) a legally sufficient description and any available street address of the real property~~

306 ~~subject to the covenant;~~

307 ~~(ii) the name and address of the owner of the fee simple interest in the real property,~~

308 ~~the agency, and the holder if other than the agency;~~

309 ~~(iii) a statement that:~~

310 ~~(A) the covenant, amendment, or termination is available in a registry at the agency;~~

311 ~~and~~

312 ~~(B) discloses the method of any electronic access to the covenant, amendment, or~~

313 ~~termination; and~~

314 ~~(iv) a statement that the notice is notification of an environmental covenant executed~~

315 ~~under this chapter.~~

316 ~~(3) A statement in substantially the following form, executed with the same formalities~~

317 ~~as a deed in Utah, satisfies the requirements of Subsection (2):~~

318 ~~"1. This notice is filed in the land records of the county of [insert name of jurisdiction~~

319 ~~in which the real property is located] under Section 57−25−112.~~

320 ~~2. This notice and the covenant, amendment, or termination to which it refers may~~

321 ~~impose significant obligations with respect to the property described below.~~

322 ~~3. A legal description of the property is attached as Exhibit A to this notice. The address~~

323 ~~of the property that is subject to the environmental covenant is [insert address of property].~~

324 ~~4. The name and address of the owner of the fee simple interest in the real property on~~

325 ~~the date of this notice is [insert name of current owner of the property and the owner's current~~

326 ~~address as shown on the tax records of the jurisdiction in which the property is located].~~

327 ~~5. The environmental covenant, amendment, or termination was signed by [insert name~~

328 ~~and address of the agency].~~

329 ~~6. The environmental covenant, amendment, or termination was filed in the registry on~~

330 ~~[insert date of filing].~~

331 ~~7. The full text of the covenant, amendment, or termination and any other information~~

332 ~~required by the agency is on file and available for inspection and copying in the registry~~

333 ~~maintained for that purpose by the Department of Environmental Quality.”~~ }

334 Section {~~14~~} 13 . Section 57−25−113 is enacted to read:

4. Page 12, Line 339:

339 Section {~~15~~} 14 . Section 57−25−114 is enacted to read:

5. Page 12, Line 345:

345 Section {~~16~~} 15 . Section 57−25−115 is enacted to read:

Michael G. Waddoups, Chair

Mr. President: January 27, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 98**, SAFETY BELT ENFORCEMENT AMENDMENTS, by Senator K. Hale; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 17**, UNINSURED MOTORIST IDENTIFICATION DATABASE PROGRAM AMENDMENTS, by Representative J. Murray; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 19**, IDENTIFICATION CARD AMENDMENTS, by Representative J. Dunnigan.

Sheldon L. Killpack, Chair

Mr. President: January 27, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 106**, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT, by Senator L. Hillyard; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 122**, REPEAL OF LIBEL PROVISIONS, by Senator S. McCoy, be replaced and favorably recommends **1st Sub. S.B. 122,** REPEAL OF LIBEL PROVISIONS with the following amendments:

1. Page 1, Line 10:

10 provision and to repeal related sections. This bill also repeals {~~criminal defamation and~~} the

2. Page 1, Line 17:

17 {~~▶ repeals the Criminal Code offense of criminal defamation;~~ }

3. Page 2, Line 27:

27 {~~76−9−404, as enacted by Chapter 196, Laws of Utah 1973~~ }

4. Page 2, Line 37:

37 {~~Section 76-9-404, Criminal defamation.~~}; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 134**, LIEN DURATION OF A FOREIGN JUDGMENT, by Senator T. Hatch; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 148**, PUNITIVE DAMAGES - DISCOVERY OF WEALTH, by Senator G. Bell, with the following amendments:

1. Page 2, Lines 43 through 47:

43 (2) {~~(a)~~} Evidence of a party's wealth or financial condition shall be admissible only after

44 a finding of liability for punitive damages has been made.

45 {~~(b)~~} (a) Discovery concerning a party's wealth or financial condition may only be allowed

46 after the party seeking punitive damages has established a prima facie case that an award of

47 punitive damages is reasonably {~~probable~~} {~~possible~~} likely against the party about whom discovery is sought.

(b) Subsection (2)(a) does not apply to any claim for punitive damages arising out of the tortfeasor's operation of a motor vehicle or motorboat while voluntarily intoxicated or under the influence of any drug or combination of alcohol and drugs as prohibited by Section 41-6a-502. ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 150**, EXPUNGEMENT AMENDMENTS, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 150,** RESTITUTION AMENDMENTS with the following amendments:

1. Page 2, Lines 46 through 50:

46 (4) This section may not be construed to preclude any person from obtaining or being

47 granted an expungement of his record as provided by law.

48 (5) A judgment for a conviction under {~~Subsection (2)(b)~~} this section may not be entered if there

49 remains any unpaid balance on court ordered restitution for that particular offense entered

50 pursuant to Section 77−38a−302.

2. Page 3, Line 86 through Page 4, Line 88:

86 (h) the petitioner has not paid the full amount of court ordered restitution {~~ ordered by a court~~ } pursuant

87 to Section 77−38a−302, or by the Board of Pardons pursuant to Section 77−27−6 on the

88 conviction for which the person is seeking an expungement. ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 159**, DISTRICT COURT JUDGE, by Senator M. Madsen; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 163**, STATEMENT UNDER PENALTY OF PERJURY, by Senator S. McCoy, with the following amendments:

1. Page 1, Line 26 through Page 2, Line 28:

26 If the law requires or permits {~~ a sworn statement,~~ } an affidavit, {~~ or similar legal document,~~ }

27 an individual may, with like force and effect, provide an unsworn written document, subscribed

28 under penalty of perjury and dated, in substantially the following form:
; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 171**, JUDICIARY AMENDMENTS, by Senator L. Hillyard; and

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 74, S.B. 113,** as amended, **1st Sub. S.B. 155, H.B. 258, 1st Sub. S.B. 75, H.B. 71, S.B. 65, S.B. 153,** as amended, **S.B. 98, 1st Sub. H.B. 17, 1st Sub. H.B. 19, S.B. 106, 1st Sub. S.B. 122, S.B. 134, S.B. 148,** as amended, **1st Sub. S.B. 150,** as amended, **S.B. 159, S.B. 163,** as amended, and **S.B. 171** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 27, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 66**, PRICE CONTROLS DURING EMERGENCIES AMENDMENTS, by Senator P. Arent, and recommends it be considered read for the second time and placed on the Consent Calendar.

Parley G. Hellewell, Chair

Mr. President: January 27, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 235**, PUBLIC SAFETY VEHICLES − MARKING LIGHTS, by Representative J. Murray, and recommends it be considered read for the second time and placed on the Consent Calendar.

Sheldon L. Killpack, Chair

Mr. President: January 27, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 164**, REPEAL OF ORDINATION BY INTERNET, by Senator G. Davis, and recommends it be considered read for the second time and placed on the Consent Calendar.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 66, H.B. 235,** and **S.B. 164** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 80, **Public−private Partnerships for Tollway Facilities** (S. Killpack), read the first time by short title and referred to the Rules Committee.

S.B. 189, **Constitutional Revision Commission Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 190, **Shared Government Records Amendments** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 36, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

S.B. 36 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 50, JAIL FUNDING AMENDMENTS, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Voting in the negative was: Senator
Valentine

Absent or not voting was: Senator
Madsen

1st Sub. S.B. 50 was transmitted to the House for consideration.

* * *

2nd Sub. S.B. 55, ELECTION REFORM, was read the third time and explained by Senator Mansell.

Senator Mansell proposed the following amendment:

1. Page 14, Line 402

402 (c) A violation of this {~~section~~} Subsection (6) is a third degree felony.

2. Page 16, Line 473:

473 (c) A violation of this {~~section~~} Subsection (6) is a third degree felony.

Senator Mansell's motion to amend passed on a voice vote. Senators Bell, McCoy, and Arent commented and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

2nd Sub. S.B. 55, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Thomas, the circle was removed from **1st Sub. S.B. 41**, RESTRICTIONS ON USE OF PHYSICIAN DISCLOSURES, and it was before the Senate. Senator Thomas explained the bill. Senator Hillyard commented. The bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting were: Senators

Christensen	Madsen

1st Sub. S.B. 41 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 59, PURCHASING FROM PEOPLE WITH DISABILITIES AMENDMENTS, was read the second time. Senator Killpack explained the bill. Senators Mayne, Jenkins, Buttars, and Christensen commented. Senator Bramble declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 4; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Bell	Buttars	Hatch	Jenkins

* * *

On motion of Senator Stephenson, the Senate voted to move to Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Stephenson, the Senate refused to concur in the House amendments to **S.B. 3**, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, and asked them to recede from their amendments.

Senators Hillyard, Dmitrich, Killpack, and Eastman commented. The Senate refused to concur on the following roll call:

Yeas, 19; Nays, 9; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Mayne
McCoy			

Absent or not voting was: Senator
Hickman

S.B. 3 was returned to the House.

SECOND READING CALENDAR

S.B. 100, COUNTY OFFICER AMENDMENTS, was read the second time. Senator Thomas explained the bill.

Senator Thomas proposed the following amendment:

1. Page 6, Lines 176 through 177

176 requested by the assessor may not be imposed until 30 days after the [~~taxpayer's receipt~~] certified postmark date of

177 mailing of a subsequent certified notice.

Senator Thomas' motion to amend passed on a voice vote. Senator Bramble commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Killpack Mansell

* * *

S.B. 110, PROTECTION OF CERTAIN VOTER INFORMATION, was read the second time. Senator Hillyard explained the bill. Senator Thomas commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Killpack Mansell

* * *

S.B. 99, COUNTY RECORDER AMENDMENTS, was read the second time. Senator Thomas explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Killpack

* * *

S.B. 28, SALES AND USE TAX − EXEMPTION FOR ISOLATED OR OCCASIONAL SALES, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Killpack

* * *

S.B. 37, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman	Jenkins

* * *

S.B. 38, INDIVIDUAL INCOME TAXATION OF CERTAIN TRUST DISTRIBUTIONS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Hickman	Jenkins	Walker

COMMITTEE OF THE WHOLE

A citation was read honoring Riley Nelson, Logan High School football star.

On motion of Senator Hillyard, Logan High School Football team member, Riley Nelson, and Coach Mike Favero spoke in Committee of the Whole. Senators Dmitrich, Jenkins, Mayne, Fife and Hillyard commented.

On motion of Senator Hillyard, the Committee of the Whole was dissolved.

* * *

On motion of Senator Knudson and at 11:55 a.m., the Senate adjourned until 10:00 a.m., Tuesday, January 31, 2006.

JANUARY 31, 2006

SIXTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Lane Beattie, President and CEO, Salt Lake Chamber of Commerce
Pledge of Allegiance − Senator Patrice Arent
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 2006

The House passed, as amended, **H.B. 13**, COMMON POLLING PLACES AMENDMENTS, by Representative D. Aagard, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 15**, EARLY VOTING, by Representative D. Aagard, et al, and it is transmitted for consideration; and

The House passed **H.B. 48**, WATER COMPANY AMENDMENTS, by Representative D. Ure, et al, and it is transmitted for consideration; and

The House passed **H.B. 54**, SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN AGRICULTURAL PRODUCTS, by Representative G. Snow, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 55**, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, by Representative W. Harper, et al, and it is transmitted for consideration; and

The House passed **H.B. 66**, TUITION WAIVERS FOR HIGHER EDUCATION, by Representative C. Buttars, et al, and it is transmitted for consideration; and

The House passed **H.B. 67**, MILITARY AND OVERSEAS CITIZENS ABSENTEE VOTER AMENDMENTS, by Representative S. Urquhart, et al, and it is transmitted for consideration; and

The House passed **H.B. 73**, K. GUNN MCKAY HIGHWAY DESIGNATION, by Representative N. Hansen, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 207**, INHERENT RISKS OF PARTICIPATING IN RECREATIONAL ACTIVITIES ON PROPERTY OWNED BY LOCAL GOVERNMENT, by Representative D. Bowman, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 210**, COUNTY ORDINANCE AMENDMENTS, by Representative L. Wiley, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 13, H.B. 15, H.B. 48, H.B. 54, 1st Sub. H.B. 55, H.B. 66, H.B. 67, H.B. 73, H.B. 207,** and **H.B. 210** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 30, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 176	Contact Lens Consumer Protection Act (Sen. C. Bramble)
H.B. 32	Life Insurance and Annuity Law Amendments (Rep. J. Dunnigan)
H.B. 34	Insurance Reports, Tables, and Examination Amendments (Rep. J. Dunnigan)
H.B. 233	Insurance Licensing Amendments (Rep. J. Dunnigan)

Education Committee

S.B. 78	Alternative School Building Plans (Sen. D. C. Buttars)
S.B. 187	Science and Technology Education Program (Sen. P. Knudson)
S.R. 2	Resolution Encouraging Utah Schools to Educate Children Regarding Risks of Sun Exposure (Sen. P. Arent)
H.B. 82	Education Information Technology Systems (Rep. K. Holdaway)
H.B. 232	Higher Education Tuition for Active Duty Military (Rep. M. Morley)

Government Operations/Political Subdivisions Committee

S.B. 189	Constitutional Revision Commission Amendments (Sen. P. Knudson)
H.B. 36	Notice Requirements for Budget Transfers from Utility Funds (Rep. A. Tilton)
H.B. 78	Investment of Land Grant Trust Funds (Rep. D. Clark)

Health and Human Services Committee

H.B. 31	Pilot Program for the Provision of Services for People with Disabilities (Rep. R. Menlove)
H.B. 213	Services for People with Brain Injuries (Rep. R. Menlove)
H.B. 222	Unborn Child Pain Prevention Act (Rep. P. Ray)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 52	Antiphishing Provisions (Sen. P. Arent)
S.B. 181	Restoration of Felon's Right to Hold Office (Sen. P. Hellewell)

Revenue and Taxation Committee

S.B. 121	Small College Enhancements (Sen. J. Hickman)
S.B. 182	Direct Sales Amendments (Sen. M. Madsen)

Transportation/Public Utilities/Technology Committee

S.B. 80	Public−private Partnerships for Tollway Facilities (Sen. S. Killpack)
S.B. 88	Disclosure of Driver License Records (Sen. M. Madsen)
S.C.R. 2	Resolution Urging Development of Offshore Energy Resources (Sen. T. Hatch)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: January 30, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 68**, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, by Senator P. Hellewell, with the following amendments:

1. Page 1, Lines 14 through 17:

14 ▶ provides that a licensed apprentice plumber shall be under the immediate

15 supervision of a licensed journeyman plumber {~~and that a licensed residential~~

16 ~~apprentice plumber shall be under the supervision of a licensed journeyman~~

17 ~~plumber~~ } or a licensed residential journeyman plumber;

2. Page 1, Lines 20 through 22:

20 ▶ provides that a licensed journeyman or residential journeyman plumber may have

21 under immediate supervision up to three licensed apprentice plumbers {~~or licensed~~

22 ~~residential apprentice plumbers~~ } on a residential project and that a licensed

3. Page 4, Lines 96 through 99:

96 (i) (A) while engaging in the trade of plumbing, a licensed apprentice plumber shall be

97 under the immediate supervision of a licensed journeyman plumber {~~– and a licensed residential~~

98 ~~apprentice plumber shall be under the immediate supervision of a licensed journeyman~~

99 ~~plumber~~ } or a licensed residential journeyman plumber;

4. Page 4, Lines 102 through 106:

102 (ii) on a residential project {~~–~~:

103 ~~(A)~~ } , a licensed journeyman plumber {~~may have up to three licensed apprentice or~~

104 ~~residential apprentice plumbers under immediate supervision; and~~

105 ~~(B)~~ } or a licensed residential journeyman plumber may have up to three licensed

106 {~~residential~~ } apprentice plumbers under immediate supervision; and ; and

The Business and Labor Committee recommends **S.B. 114**, PRODUCER AND AFFILIATE DISCLOSURE AMENDMENTS, by Senator B. Evans, be

replaced and favorably recommends **1st Sub. S.B. 114,** PRODUCER AND AFFILIATE DISCLOSURE AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 116**, DEPARTMENT OF FINANCIAL INSTITUTION'S FEES, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 162**, DEPARTMENT OF FINANCIAL INSTITUTIONS ENFORCEMENT OF APPLICABLE LAW, by Senator L. Hillyard.

Scott K. Jenkins, Chair

Mr. President: January 27, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 169**, SALES AND USE TAX − DENTAL PROSTHESES, by Senator P. Knudson.

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 68,** as amended, **1st Sub. S.B. 114, S.B. 116, S.B. 162,** and **S.B. 169** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 30, 2006

The Business and Labor Committee recommends **S.B. 165**, CORPORATIONS − PROFESSIONAL SERVICES AMENDMENT, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 165,** CORPORATIONS − PROFESSIONAL SERVICES AMENDMENT and that it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: January 30, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 172**, VITAL STATISTICS ACT AMENDMENTS, by

Senator T. Hatch, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 165** and **S.B. 172** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 191, **Service Contracts Act Amendments** (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 192, **Exemptions to Residential Property Tax** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 203, **Telephone Solicitation Amendments** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 206, **Child Protection Registry Amendments** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

S.B. 229, **Civil Service Commissions** (S. Jenkins), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 59, PURCHASING FROM PEOPLE WITH DISABILITIES AMENDMENTS, was read the third time.

On motion of Senator Killpack, the bill was circled.

* * *

S.B. 100, COUNTY OFFICER AMENDMENTS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 110, PROTECTION OF CERTAIN VOTER INFORMATION, was read the third time.

On motion of Senator Hillyard the Senate voted to strike the enacting clause on **S.B. 110** and return the bill to the rules committee.

* * *

S.B. 99, COUNTY RECORDER AMENDMENTS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 28, SALES AND USE TAX − EXEMPTION FOR ISOLATED OR OCCASIONAL SALES, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Dmitrich	Eastman

S.B. 28 was transmitted to the House for consideration.

* * *

On motion of Senator Thomas, the circle was removed from **S.B. 100**, COUNTY OFFICER AMENDMENTS, and it was before the Senate. Senator Thomas explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Dmitrich Eastman

S.B. 100 was transmitted to the House for consideration.

* * *

On motion of Senator Thomas, the circle was removed from **S.B. 99**, COUNTY RECORDER AMENDMENTS, and it was before the Senate. Senator Thomas explained the bill. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Eastman

S.B. 99 was transmitted to the House for consideration.

* * *

S.B. 37, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Eastman

S.B. 37 was transmitted to the House for consideration.

* * *

S.B. 38, INDIVIDUAL INCOME TAXATION OF CERTAIN TRUST DISTRIBUTIONS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

S.B. 38 was transmitted to the House for consideration.

SECOND READING CALENDAR

S.B. 58, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, was read the second time. Senator Knudson explained the bill. Senators McCoy, Walker, Hale, and Waddoups commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

* * *

S.B. 109, UNIFORM COMMERCIAL CODE − WAREHOUSE RECEIPTS, BILLS OF LADING, AND OTHER DOCUMENTS OF TITLE, was read the second time. Senator Hillyard explained the bill. Senators Valentine and Jenkins commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Killpack	Mansell

* * *

S.B. 137, BUSINESS ORGANIZATION AND DIVISION OF CORPORATIONS AND COMMERCIAL CODE AMENDMENTS, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hickman
Hillyard	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Hellewell	Jenkins
Killpack	Mansell		

* * *

On motion of Senator Hale, the circle was removed from **S.B. 118**, DRIVING BY MINORS AMENDMENTS, and it was before the Senate. Senator Hale explained the bill.

Senator Hale proposed the following amendment:

1. Page 1, Line 15

15 12:00 am and 5:00 am;

► provides that a person younger than 17 years of age may operate a motor vehicle on a highway between the hours of 12:00 am and 5:00 am directly to the driver's residence from a school−sponsored activity if transportation to the activity is provided by a school or a school district and the transportation commences and returns to the school property where the driver is enrolled;

2. Page 2, Lines 43 through 47:

43 [~~(c) to and from the driver's religion−sponsored activity or own school−sponsored~~

44 ~~activity and the driver's residence;~~] (c) directly to the driver's residence from a school−sponsored activity if:

(i) transportation to the activity is provided by a school or school district; and

(ii) the transportation under Subsection (2)(c)(i) commences from and returns to the school property where the driver is enrolled.

45 {~~[~~} (d) {~~]~~} {~~(c)~~} on assignment of a farmer or rancher and the driver is engaged in an

46 agricultural operation; or

47 {~~[~~} (e) {~~]~~} {~~(d)~~} in an emergency.

Senator Hale's motion to amend passed on a voice vote. Senators Valentine, Eastman, Madsen, and Hickman commented. The bill passed second reading on the following roll call:

Yeas, 15; Nays, 12; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Dmitrich
Fife	Goodfellow	Hale	Hillyard
Killpack	Knudson	Mayne	McCoy
Peterson	Waddoups	Walker	

Voting in the negative were: Senators

Buttars	Eastman	Evans	Hatch
Hellewell	Hickman	Jenkins	Madsen
Mansell	Stephenson	Thomas	Valentine

Absent or not voting were: Senators
Bramble Davis

* * *

S.B. 46, UTAH COAL REGULATOR PROGRAM AMENDMENTS, was read the second time. Senator Dmitrich explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Killpack Mansell

* * *

S.B. 67, CONSERVATION EASEMENT RESTRICTED ACCOUNTS, was read the second time. Senator Evans explained the bill.

Senator Peterson proposed the following amendment:

1. Page 2, Lines 45 through 46

45 (4) Notwithstanding Subsection (3), the department may expend donations as directed

46 by the donor without appropriation by the Legislature.
(5) The department may not receive or expend donations to acquire conservation easements.

2. Page 3, Lines 62 through 63:

62 (4) Notwithstanding Subsection (3), the department may expend donations as directed

63 by the donor without appropriation by the Legislature.
(5) The department may not receive or expend donations to acquire conservation easements.

Senator Peterson's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Mansell	Walker

* * *

S.B. 70, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, was read the second time. Senator Stephenson explained the bill.

Senator McCoy proposed the following amendment:

1. Page 3, Lines 73 through 75

73 (d) subsequent to meeting the requirements of Subsections (3)(a) through (c), the

74 approval of the governor and the Legislature {~~as provided in Subsection (4)~~} .

75 (4) {~~(a)~~} Legislative and gubernatorial approval required by Subsection (3)(d) for a new license, license renewal, or license amendment under Subsection (4) that is received by the executive secretary on or after July 1, 2007 shall be provided as follows:

(a) Legislative approval shall be provided by statute.

2. Page 6, Lines 163 through 166:

163 (c) (i) No person may construct any facility listed under Subsection (3)(c)(ii) until [~~he~~]

164 the person receives, in addition to and subsequent to local government approval and subsequent

165 to the approval required in Subsection (3)(a), approval by the governor and the Legislature {~~as~~

166 ~~provided in Subsection (3)(d)~~ } .

3. Page 6, Line 176:

176 (d) {~~(i)~~ } Legislative and gubernatorial approval required by Subsection (3)(c) subsequent to executive secretary approval of an operation plan under Subsection (3)(a) which is received by the executive secretary on or after July 1, 2007 shall be provided as follows:

(i) Legislative approval shall be provided by statute.

Senator Bramble commented.

On motion of Senator Stephenson, the bill was circled.

TIME CERTAIN

Citations were read by Senators Christensen and Arent honoring the 2006 American Mother of the Year and American Mother of Young Children, Michaelene P. Grassli, and Linda R. Zenger.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 2006

The House receded from its amendments and passed **S.B. 3**, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, by Senator H. Stephenson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 3 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 2006

The House passed, as amended, **H.B. 45**, BEAR RIVER DEVELOPMENT ACT, by Representative J. S. Adams, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 81**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE, by Representative R. Menlove, et al, and it is transmitted for consideration; and

The House passed **H.B. 265**, DUE DATE FOR FILING ELECTRONICALLY FILED WITHHOLDING RETURNS, by Representative M. Newbold, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 45, H.B. 81,** and **H.B. 265** were read the first time and referred to the Rules Committee.

On motion of Senator Killpack, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Killpack, the circle was removed from **S.B. 59**, PURCHASING FROM PEOPLE WITH DISABILITIES, and it was before the Senate. Senator Killpack explained the bill. Senators Jenkins and Christensen commented.

Senator Killpack proposed the following amendment:

1. Page 5, Line 142:
   After "has reached" delete "at least"

Senator Killpack's motion to amend passed on a voice vote. Senators Bell and Bramble declared conflicts of interest. The bill passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hatch	Hellewell	Hillyard
Killpack	Knudson	Mansell	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Jenkins	Madsen	Stephenson

Absent or not voting were: Senators

Buttars	Evans	Hale	Hickman
Mayne			

S.B. 59, as amended, was transmitted to the House for consideration.

On motion of Senator Stephenson, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Stephenson, the circle was removed from **S.B. 70**, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, and it was before the Senate. Senator Stephenson explained the bill.

Senator McCoy proposed the following amendment:

Strike the amendments made in committee on January 23, 2006.

1. Page 3, Lines 73 through 75

73 (d) subsequent to meeting the requirements of Subsections (3)(a) through (c), the

74 approval of the governor and the Legislature {~~as provided in Subsection (4)~~} .

75 (4) {~~(a)~~} Legislative and gubernatorial approval required by Subsection (3)(d) for a new license, license renewal, or license amendment under Subsection (4) that is received by the executive secretary on or after July 1, 2007, shall be provided as follows:

(a) Legislative approval shall be provided by statute.

2. Page 6, Lines 163 through 166:

163 (c) (i) No person may construct any facility listed under Subsection (3)(c)(ii) until [**~~he~~**]

164 the person receives, in addition to and subsequent to local government approval and subsequent

165 to the approval required in Subsection (3)(a), approval by the governor and the Legislature {~~as~~

166 ~~provided in Subsection (3)(d)~~} .

3. Page 6, Line 176:

176 (d) {~~(i)~~} Legislative and gubernatorial approval required by Subsection (3)(c) subsequent to executive secretary

approval of an operation plan under Subsection (3)(a) which is received by the executive secretary on or after July 1,2007 shall be provided as follows:

(i) Legislative approval shall be provided by statute.

Senator McCoy's motion to amend passed on a voice vote. Senators Arent, Bramble, and Hillyard commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 5; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Goodfellow	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Fife	Hillyard	Mayne
McCoy			

Absent or not voting were: Senators

Buttars	Evans	Hale

* * *

S.B. 62, JUDICIAL CONDUCT COMMISSION AMENDMENTS, was read the second time. Senator Waddoups explained the bill.

Senator Waddoups proposed the following amendment:

1. Page 5, Lines 133 through 150

133 (b) The chief justice of the Supreme Court may place {~~[~~} a justice of the Supreme Court, an {~~the~~} appellate court judge, district

134 court judge, active senior judge, juvenile court judge, justice court judge, active senior justice

135 court judge, or judge pro tempore {~~]~~} {~~the judge~~} on administrative leave with or without pay if the

136 chief justice has a reasonable basis to believe that the alleged crime occurred, that a justice of the Supreme Court, an {~~the~~} appellate

137 court judge, district court judge, active senior judge, juvenile court judge, justice court judge,

138 active senior justice court judge, or judge pro tempore committed the crime, and that crime was

139 either a felony or a misdemeanor which conduct may be prejudicial to the administration of

140 justice or which brings a judicial office into disrepute.

** * * Some lines not shown * * **

146 (b) Two justices of the Supreme Court may place the chief justice of the Supreme

147 Court on administrative leave with or without pay if the two justices have a reasonable basis to

148 believe that the alleged crime occurred, that the chief justice committed the crime, and that the

149 crime was either a felony or a misdemeanor which conduct may be prejudicial to the

150 administration of justice or which brings a judicial office into disrepute.

Senator Waddoups' motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

*** * ***

1st Sub. S.B. 69, − PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, was read the second time.

On motion of Senator Walker, the bill was circled.

* * *

S.B. 140, UNLAWFUL OUTDOOR ADVERTISING AMENDMENTS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Knudson

* * *

S.B. 49, SCHOOL COMMUNITY COUNCIL AMENDMENTS, was read the second time. Senator Arent explained the bill. Senators Mayne and Madsen commented. The bill passed second reading on the following roll call:

Yeas, 15; Nays, 13; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Fife	Goodfellow	Hale	Hillyard
Jenkins	Knudson	McCoy	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Bramble	Dmitrich	Eastman	Evans
Hatch	Hellewell	Hickman	Killpack
Madsen	Mansell	Mayne	Peterson
Stephenson			

Absent or not voting was: Senator

Buttars

* * *

S.B. 72, HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS, was read the second time.

On motion of Senator Madsen, the bill was circled.

* * *

S.B. 127, VACATING OR CHANGING A SUBDIVISION PLAT, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 132, SURPLUS PROPERTY AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Madsen

* * *

On motion of Senator Knudson and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 1, 2006.

FEBRUARY 1, 2006

SEVENTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Kelvyn Cullimore, Mayor of Cottonwood Heights
Pledge of Allegiance − Senator Brent Goodfellow
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 2006

The House passed, as substituted, **1st Sub. H.B. 47**, SALES TAX DIVERSION FOR WATER PROJECTS AND WATER FINANCING, by Representative D. Ure, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 204**, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, by Representative P. Wallace, et al, and it is transmitted for consideration; and

The House passed **H.B. 250**, LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES, by Representative G. Hughes, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 47, H.B. 204,** and **H.B. 250** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: January 31, 2006

The Government Operations and Political Subdivisions Committee recommends **S.B. 156**, LEGISLATIVE DIRECTION RELATING TO UNITED STATES SENATORS, by Senator H. Stephenson, et al, be replaced and favorably recommends **1st Sub. S.B. 156,** LEGISLATIVE DIRECTION RELATING TO UNITED STATES SENATORS; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 189**, CONSTITUTIONAL REVISION COMMISSION AMENDMENTS, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee recommends **H.B. 14**, OPEN MEETINGS LAW AMENDMENTS, by Representative W. Harper, be replaced and favorably recommends **2nd Sub. H.B. 14**, OPEN MEETINGS LAW AMENDMENTS; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, with the following amendments:

1. Page 1, Lines 24 through 26

24 ▶ requires both written minutes and a recording to be kept of all open meetings {~~ unless~~

25 ~~the open meeting is a site visit or traveling tour and no vote or action is taken by the~~

26 ~~public body~~ } , with certain exceptions ;

2. . Page 5, Lines 144 through 145:

144 (8) Either written minutes or a recording shall be kept of :
(a) an open meeting that is a site

145 visit or a traveling tour , if no vote or action is taken by the public body {~~.~~ } ;
(b) all open meetings of a town;
(c) all open meetings of a city of the fourth or fifth class;
(d) all open meetings of a county of the fourth, fifth, or sixth class; and
(e) an independent special district as defined under Title 17A, Special Districts, or a local districts under Title 17B, Chapter 2, Local Districts. ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 36**, NOTICE REQUIREMENTS FOR BUDGET TRANSFERS FROM UTILITY FUNDS, by Representative A. Tilton; and

The Government Operations and Political Subdivisions Committee recommends **1st Sub. H.B. 44**, LOCAL GOVERNMENT AMENDMENTS, by

Representative B. Dee, be replaced and favorably recommends **2nd Sub. H.B. 44,** LOCAL GOVERNMENT AMENDMENTS with the following amendments:

1. Page 42, Lines 1293 − 1294:
After " Subsection (10)," Delete " "active" means, with reference to a voter, that the voter has voted in both of the two immediately preceding regular general elections. And, Insert "active voter " has the same meaning as defined in Section 20A−1−102."; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 78**, INVESTMENT OF LAND GRANT TRUST FUNDS, by Representative D. Clark.

Parley G. Hellewell, Chair

Mr. President: January 31, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 182**, DIRECT SALES AMENDMENTS, by Senator M. Madsen; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 52**, SALES AND USE TAX EXEMPTION FOR TRANSPORTATION, by Representative W. Harper.

Curtis S. Bramble, Chair

Mr. President: January 31, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 180**, MOTOR VEHICLE LEASE AGREEMENTS, by Senator M. Madsen.

Sheldon L. Killpack, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 156, S.B. 189, 2nd Sub. H.B. 14, H.B. 16,** as amended, **H.B. 36**, **2nd Sub. H.B. 44**, as amended, **H.B. 78, S.B. 182, H.B. 52,** and **S.B. 180** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: January 31, 2006

The Government Operations and Political Subdivisions Committee has returned **S.B. 105**, COUNTY OFFICER REVISIONS, by Senator C. Walker, to the Rules Committee.

Parley G. Hellewell, Chair

On motion of Senator Knudson, the committee report was adopted. **S.B. 105** was returned to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 86, **Amendments to Child Care** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 97, **Student Club Amendments** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.B. 205, **Real Property − Partial Release or Partial Reconveyance** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 207, **Presumptive Personal Representative** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 216, **Children's Justice Center Funding** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 58, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, was read the third time.

On motion of Senator Mansell, the bill was circled.

* * *

The Senate voted to allow Senator Mansell to open bill files regarding Property Rights Ombudsman Amendments and Land Rights Amendments.

* * *

On motion of Senator Mansell the Senate voted to lift **1st Sub. S.B. 75** from the Second Reading Calendar and place it on the Time Certain Calendar for today at 4:00 p.m.

The Senate voted to allow Senator Hatch to open a bill file regarding Referendum in Local Government.

* * *

On motion of Senator Knudson, the circle was removed from **S.B. 58**, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, and it was before the Senate. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hale

S.B. 58 was transmitted to the House for consideration.

* * *

S.B. 109, UNIFORM COMMERCIAL CODE − WAREHOUSE RECEIPTS, BILLS OF LADING, AND OTHER DOCUMENTS OF TITLE, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hale

S.B. 109 was transmitted to the House for consideration.

* * *

S.B. 137, BUSINESS ORGANIZATION AND DIVISION OF CORPORATIONS AND COMMERCIAL CODE AMENDMENTS, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hale

S.B. 137 was transmitted to the House for consideration.

* * *

S.B. 118, DRIVING BY MINORS AMENDMENTS, was read the third time.

On motion of Senator Hale, the bill was circled.

* * *

S.B. 46, UTAH COAL REGULATOR PROGRAM AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 46 was transmitted to the House for consideration.

* * *

S.B. 67, CONSERVATION EASEMENT RESTRICTED ACCOUNTS, was read the third time and explained by Senator Evans.

Senator Evans proposed the following amendment:

1. Page 2, Line 46a
   Senate 2nd Reading Amendments
   1−31−2006

   46a Ŝ➔ (5) The department may not receive or expend donations from the account to acquire conservation

2. Page 3, Line 63a
   Senate 2nd Reading Amendments
   1−31−2006:

   63a Ŝ➔ (5) The department may not receive or expend donations from the account to acquire conservation

Senator Evans' motion to amend passed on a voice vote. Senator Fife commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars

S.B. 67, as amended, was transmitted to the House for consideration.

* * *

S.B. 70, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, was read the third time and explained by Senator Stephenson.

Senator McCoy proposed the following amendment:

1. Page 3, Line 75a:
   Replace "Subsection (4)" with "Subsection (5)"

Senator McCoy's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 22; Nays, 6; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Goodfellow
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Fife	Hale	Hillyard
Mayne	McCoy		

Absent or not voting was: Senator
Buttars

S.B. 70 , as amended, was transmitted to the House for consideration.

* * *

S.B. 62, JUDICIAL CONDUCT COMMISSION AMENDMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch

Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 62 was transmitted to the House for consideration.

* * *

S.B. 140, UNLAWFUL OUTDOOR ADVERTISING AMENDMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 140 was transmitted to the House for consideration.

* * *

S.B. 49, SCHOOL COMMUNITY COUNCIL AMENDMENTS, was read the third time.

On motion of Senator Arent, the bill was circled.

* * *

S.B. 132, SURPLUS PROPERTY AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 132 was transmitted to the House for consideration.

SECOND READING CALENDAR

H.B. 29, TOWNSHIP AMENDMENTS, was read the second time. Senator Walker explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators
Evans Mansell

Absent or not voting were: Senators
Buttars Hillyard

* * *

H.B. 43, SUNSET REVIEW AND REAUTHORIZATIONS, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

H.J.R. 3, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

H.B. 21, CHILD WELFARE REVISIONS, was read the second time. Senator Hatch explained the bill. Senator Eastman commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Waddoups

* * *

H.B. 23, OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Knudson

* * *

On motion of Senator Hillyard, the circle was removed from **H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, and it was before the Senate.

On motion of Senator Hillyard, the following substitute bill replaced the original bill:3

1st Sub. H.J.R. 3 Joint Rules Resolution − Base Budget Process (R. Bigelow)

Senator Hillyard explained the bill. Senator Arent commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

H.B. 25, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

H.B. 51, SALES AND USE TAXATION OF AMUSEMENT DEVICES AND CLEANING OR WASHING OF TANGIBLE PERSONAL PROPERTY, was read the second time. Senator Bramble explained the bill. Senators McCoy, Valentine, and Mayne commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

H.B. 20, COMMERCIAL DRIVER TRAINING SCHOOL ACT AMENDMENTS, was read the second time. Senator Jenkins explained the bill. Senator Mansell commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

H.B. 35, STATE HIGHWAYS AMENDMENTS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Walker	Valentine	

Absent or not voting were: Senators
Buttars Waddoups

* * *

H.B. 258, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators
Arent Buttars Mayne Waddoups

* * *

H.B. 71, ECONOMIC DEVELOPMENT − SUNSET MODIFICATIONS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Arent	Buttars	Mayne

* * *

On motion of Senator Bramble, **H.B. 51** was placed on Third Reading Table due to fiscal impact.

* * *

1st Sub. H.B. 17, UNINSURED MOTORIST IDENTIFICATION DATABASE PROGRAM AMENDMENTS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Arent	Buttars	Hickman	Mayne

* * *

1st Sub. H.B. 19, IDENTIFICATION CARD AMENDMENTS, was read the second time. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Arent	Buttars	Mayne

* * *

On motion of Senator Eastman, under suspension of the rules, the Senate voted to consider Senate bills for the remainder of the day.

* * *

S.B. 61, UNIFORM MEDIATION ACT, was read the second time. Senator Hillyard explained the bill.

Senator Fife proposed the following amendment:

1. Page 2, After Line 38, insert
   78−31c−115, Utah Code Annotated 1953

2. Page 9, After Line 248, insert:

   Section 15. Section 78−31c−115 is enacted to read:
   78−31c−115. Repudiation of agreement.
   (1) A mediation agreement reduced to writing and signed by all parties may be repudiated and rendered null and void if a party notifies the mediator and all signatory parties of his intent to retract his agreement.
   (2) Notification shall be made verbally within 72 hours, followed by written notification no later than 72 hours after verbal notification. Written notification shall be sent by a method which provides tracking and return notification of receipt.
   (3) This section does not apply to divorce, child custody, or parent−time mediations.

Senator Fife's motion to amend failed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators
Arent Buttars Goodfellow

* * *

On motion of Senator Knudson, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 1, 2006

The House passed, **S.B. 8**, CARE OF STUDENTS WITH DIABETES IN SCHOOL, by Senator P. Arent, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 9**, OPEN AND PUBLIC MEETINGS ACT REVISIONS, by Senator P. Hellewell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 10**, PROVISIONAL BALLOT AMENDMENTS, by Senator P. Hellewell, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 11**, ELECTION CODE REVISIONS, by Senator P. Hellewell, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 21**, EMPLOYMENT SECURITY AMENDMENTS, by Senator J. Hickman, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 23**, OFFICE OF MUSEUM SERVICES, by Senator P. Arent, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 25**, COORDINATION WITH TRIBAL LEADERS AMENDMENTS, by Senator B. Evans, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 26**, ADMINISTRATIVE RULES REAUTHORIZATION, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 30**, SALES AND USE TAX EXEMPTION FOR SEMICONDUCTOR FABRICATING, PROCESSING, RESEARCH, OR DEVELOPMENT MATERIALS, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 136**, TAX ON INSURANCE PREMIUMS, by Senator C. Bramble, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 6**, RESOLUTION APPROVING COMPENSATION OF IN−SESSION EMPLOYEES, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 8, S.B. 9, S.B. 10, S.B. 11, S.B. 21, S.B. 23, S.B. 25, S.B. 26, S.B. 30, S.B. 136, and **S.J.R. 6** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 1, 2006

The House passed, as amended, **H.B. 105**, MEDICAID GENERIC DRUG REIMBURSEMENT AMENDMENTS, by Representative M. Walker, and it is transmitted for consideration; and

The House passed **H.B. 217**, HEALTH INSURANCE HIGH RISK POOL ELIGIBILITY AMENDMENTS, by Representative D. Litvack, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 224**, RETIREMENT SYSTEM PARTICIPATION, by Representative D. Clark, et al, and it is transmitted for consideration; and

The House passed **H.B. 237**, DIRECT−ENTRY MIDWIFE ACT − REPEALERS, by Representative J. Biskupski, and it is transmitted for consideration; and

The House passed **H.B. 308**, INSURANCE POLICY AND CONTRACT LAW AMENDMENTS, by Representative T. Kiser, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 105, H.B. 217, 1st Sub. H.B. 224, H.B. 237,** and **H.B. 308** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 1, 2006

The House passed, as amended, **S.B. 12**, ELECTRONIC MEETING AMENDMENT, by Senator L. Hillyard, et al, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 27**, LAKE POWELL PIPELINE DEVELOPMENT ACT, by Senator T. Hatch, et al, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 1, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 191	Service Contracts Act Amendments (Sen. M. Waddoups)
S.B. 203	Telephone Solicitation Amendments (Sen. P. Hellewell)

Education Committee

S.B. 97	Student Club Amendments (Sen. D. C. Buttars)
S.B. 174	In−state Tuition for Members of Utah National Guard (Sen. P. Knudson)
S.C.R. 1	Resolution Encouraging School Boards to Adopt Policy Prohibiting Bullying (Sen. P. Arent)
S.J.R. 9	Resolution Recognizing Right to Participate in Religious Expressions in Public Schools (Sen. P. Hellewell)
H.B. 66	Tuition Waivers for Higher Education (Rep. C. Buttars)

Government Operations/Political Subdivisions Committee

S.B. 79	Uniform Debt−management Services Act (Sen. L. Hillyard)
S.B. 190	Shared Government Records Amendments (Sen. M. Dmitrich)
S.C.R. 3	Concurrent Resolution Honoring America's Military War Dogs (Sen. E. Mayne)
H.B. 13	Common Polling Places Amendments (Rep. D. Aagard)

H.B. 15	Early Voting (Rep. D. Aagard)
H.B. 67	Military and Overseas Citizens Absentee Voter Amendments (Rep. S. Urquhart)

Health and Human Services Committee

S.B. 86	Amendments to Child Care (Sen. P. Hellewell)
S.B. 91	Regulation of Restraint, Seclusion, and Emergency Medication (Sen. T. Hatch)
S.B. 160	Physician Licensing Amendments (Sen. B. Evans)
S.B. 216	Children's Justice Center Funding (Sen. D. C. Buttars)
H.B. 37	Public Assistance Amendments (Rep. S. Allen)
H.B. 204	Comprehensive Health Insurance Pool Amendments (Rep. P. Wallace)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 185	Drug Offender Reform Act Amendments (Sen. S. Killpack)
S.B. 186	Revocation of Death Benefits by Divorce (Sen. K. Hale)
S.B. 207	Presumptive Personal Representative (Sen. G. Bell)
S.B. 188	Private Investigator Regulation Act Amendments (Sen. P. Hellewell)
H.B. 56	Sex Offender Registration Amendments (Rep. M. S. Lawrence)
H.B. 63	Probate Code Amendments Regarding Homicide (Rep. K. Morgan)

Revenue and Taxation Committee

S.B. 89	Sales and Use Tax − Attachment of Tangible Personal Property to Real Property (Sen. H. Stephenson)
S.B. 192	Exemptions to Residential Property Tax (Sen. E. Mayne)
S.B. 206	Child Protection Registry Amendments (Sen. M. Dmitrich)
H.B. 54	Sales and Use Tax Exemption for Sales of Certain Agricultural Products (Rep. G. Snow)
1st Sub. H.B. 55	Property Tax − Circuit Breaker Qualifying Limits (Rep. W. Harper)
H.B. 109	Sales and Use Tax − Food and Food Ingredients and Local Taxes (Rep. M. Newbold)

Transportation/Public Utilities/Technology Committee

S.B. 183	Utah Emergency Medical Services Act Amendments (Sen. D. Eastman)
1st Sub. H.B. 49	Department of Technology Services Personnel Transfer − Supplemental Appropriation (Rep. D. Clark)
H.B. 50	Utah Technology Industry Council Revisions (Rep. D. Litvack)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 1, 2006

The Business and Labor Committee recommends **S.B. 128**, REVOLVING CREDIT LINE TRUST DEED, by Senator T. Hatch, be replaced and favorably recommends **1st Sub. S.B. 128,** REVOLVING CREDIT LINE TRUST DEED; and

The Business and Labor Committee recommends **S.B. 145**, REGULATION OF DIRECT PATHOLOGY BILLING, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 145,** REGULATION OF DIRECT PATHOLOGY BILLING; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 157**, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES, by Senator H. Stephenson; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 18**, UNEMPLOYMENT COMPENSATION − SOCIAL SECURITY OFFSET, by Representative D. Cox, et al.

Scott K. Jenkins, Chair

Mr. President: February 1, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 31**, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Menlove; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 213**, SERVICES FOR PEOPLE WITH BRAIN INJURIES, by Representative R. Menlove.

Allen M. Christensen, Chair

Mr. President: February 1, 2006

The Education Committee reports a favorable recommendation on **S.B. 187**, SCIENCE AND TECHNOLOGY EDUCATION PROGRAM, by Senator P. Knudson; and

The Education Committee reports a favorable recommendation on **S.R. 2**, RESOLUTION ENCOURAGING UTAH SCHOOLS TO EDUCATE CHILDREN REGARDING RISKS OF SUN EXPOSURE, by Senator P. Arent; and

The Education Committee reports a favorable recommendation on **H.B. 82**, EDUCATION INFORMATION TECHNOLOGY SYSTEMS, by Representative K. Holdaway; and

The Education Committee reports a favorable recommendation on **H.B. 232**, HIGHER EDUCATION TUITION FOR ACTIVE DUTY MILITARY, by Representative M. Morley.

David L. Thomas, Chair

Mr. President: January 31, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 22**, DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS, by Senator P. Knudson, et al.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 128, 1st Sub. S.B. 145, S.B. 157, H.B. 18, H.B. 31, H.B. 213, S.B. 187, S.R. 2, H.B. 82, H.B. 232,** and **S.B. 22**were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 1, 2006

The Business and Labor Committee reports a favorable recommendation on **H.B. 26**, FILING LIENS, by Representative S. Clark, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

On motion of Senator Knudson, the committee report was adopted. **H.B. 26** was considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 213, **Changes to Guardian Ad Litem** (D. Eastman), read the first time by short title and referred to the Rules Committee.

SECOND READING CALENDAR

S.B. 149, PROVIDING FOR INDIGENT DEFENSE, was read the second time. Senator Bell explained the bill.

Senator Bell proposed the following amendment:

1. Page 2, Lines 47 through 54

47 (6) "Legal defender's office" means a department of county government created and

48 authorized by the county legislative body to provide legal representation in criminal matters to

49 indigent {~~defenders~~} defendants .
(7) "Legal defense" means legal counsel, defense resources, or both.

50 [~~(6)~~] {~~(7)~~} **(8)** "Participating county" means a county which has complied with the provisions

51 of this chapter for participation in the Indigent Capital Defense Trust Fund as provided in

52 Sections 77−32−602 and 77−32−603 or the Indigent Felony Defense Trust Fund as provided in

53 Sections 77−32−702 and 77−32−703.

54 [~~(7)~~] {~~(8)~~} **(9)** "Serious offense" means a felony or capital felony.

2. Page 5, Line 143 through Page 6, Line 162:

143 77−32−306. County or municipal legislative body to {~~appoint counsel or~~} provide legal defense

144 {~~resources or provide these services through legal aid associations~~} .

145 (1) The county or municipal legislative body shall either:

146 (a) contract to provide the legal defense, including counsel, defense resources, or both,

147 as prescribed by this chapter, and as available, through:

148 (i) a legal aid association; or

149 (ii) one or more defense associations or attorneys and qualified defense resources; {~~[or]~~} or

150 (b) authorize the court to provide the services prescribed by this chapter by assigning a

151 qualified attorney in each case {~~[.]~~**; or**} .

152 {~~(c)~~} (2) A county may create a county legal defender's office to provide for the legal defense, including

153 counsel and defense resources or both, as prescribed by this chapter.

154 {~~(2) The department~~} (3) A county legal defender's office may, through the county legislative body contract with other

155 counties and municipalities within a judicial district to provide the legal services as prescribed.

156 [~~(2)~~] {~~(3)~~} (4) When a county or municipality has contracted under Subsection (1)(a) or a county has

157 created a legal defender's office as provided under Subsection {~~(1)(c)~~} (2) to provide the legal

158 counsel and defense resources required by this chapter, the contracted legal aid association or

159 attorneys , {~~and~~} contracted defense resources , and the county legal defender's office are the exclusive source from which the legal

160 defense may be provided, unless the court finds a compelling reason for the appointment of

161 noncontracting attorneys and defense resources, in which case the judge shall state the

162 compelling reason on the record.

Senator Bell's motion to amend passed on a voice vote. Senator Hatch commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Buttars	Mayne	Walker

* * *

S.B. 101, COUNTY ASSISTANCE TO NONPROFIT ENTITIES, was read the second time. Senator Thomas explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Walker

* * *

On motion of Senator Thomas, the circle was removed from **1st Sub. S.B. 103**, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES,

and it was before the Senate. Senator Thomas explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Walker

* * *

S.B. 117, EMINENT DOMAIN AMENDMENTS, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Walker

* * *

S.B. 158, ADMINISTRATIVE RULEMAKING AUTHORITY AMENDMENTS, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Walker

* * *

S.J.R. 2, RESOLUTION ENLARGING REVENUES AND ASSETS IN STATE TRUST FUND, was read the second time. Senator Hillyard explained the bill. Senators Davis, Hickman, Jenkins, McCoy, Evans, and Dmitrich commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Walker

* * *

S.B. 141, RESPONSE TO HIPAA CHANGES, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Stephenson	Thomas	Waddoups	

Absent or not voting were: Senators

Buttars	Goodfellow	Hickman	Peterson
Walker	Valentine		

* * *

S.B. 146, PHYSICIAN ASSISTANTS AND PUBLIC HEALTH AMENDMENTS, was read the second time. Senator Bell explained the bill. Senator Arent commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups

Absent or not voting were: Senators

Bramble	Buttars	Goodfellow	Walker
Valentine			

* * *

S.B. 152, MEDICAID TASK FORCE, was read the second time. Senator Killpack explained the bill. Senator Davis commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators
Buttars Valentine

* * *

S.B. 139, REPORTABLE TRANSACTIONS ACT, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Bramble	Buttars	Hatch	Valentine

* * *

S.B. 154, SALES AND USE TAX EXEMPTION FOR CERTAIN ADMISSIONS TO OR RIGHTS TO USE THE PREMISES OF A PRIVATE CLUB, was read the second time.

On motion of Senator Dmitrich, the bill was circled.

* * *

S.B. 54, REVENUE FLOW FROM SPEEDING VIOLATIONS, was read the second time. Senator Hickman explained the bill.

On motion of Senator Hickman, the bill was circled.

* * *

S.B. 119, − REPEAL OF OFF−HIGHWAY VEHICLE REGISTRATION NUMBER, was read the second time. Senator Hatch explained the bill. Senator Jenkins commented. Senators Hatch and Hellewell declared conflicts of interest. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Madsen	Mansell
Peterson	Stephenson	Thomas	Waddoups
Walker			

Voting in the negative were: Senators

Arent	Hale	Mayne	McCoy

Absent or not voting were: Senators

Buttars	Hickman	Knudson	Valentine

* * *

On motion of Senator Waddoups, and at 3:35 p.m., the Senate sauntered.

The Senate was called to order at 4:00 p.m., with President Valentine presiding.

TIME CERTAIN

1st Sub. S.B. 75, U STAR INITIATIVE, was read the second time. Senator Mansell explained the bill.

Senator Mansell proposed the following amendment:

1. Page 3, Lines 81 through 84

81 (2) "Commercialization revenues " means dividends, realized capital gains, license fees, royalty fees, and other revenues

82 received by a university as a result of commercial applications developed from the project, less:

83 (a) the portion of those revenues allocated to the inventor; and

84 (b) expenditures incurred by the university to legally protect the intellectual property.

2. Page 6, Line 158:

158 the { ~~license fees and royalty fees~~ } commercialization revenues ; and

3. Page 6, Line 164:

164 the {~~license fees and royalty fees~~} commercialization revenues ; and

4. Page 20, Line 585:

585 {~~capitol~~} capital development projects identified in this section; and

Senator Mansell's motion to amend passed on a voice vote. Senators Bell, Hatch, Evans, Dmitrich, Waddoups, and Arent commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

S.B. 71, CONSUMER CREDIT PROTECTION, was read the second time.

On motion of Senator Walker, the bill was circled.

* * *

S.B. 123, UTAH CONSUMER CREDIT CODE AMENDMENTS, was read the second time. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 4, Lines 97 through 115:

97 {~~(~~} (3) If the creditor has taken a security interest in any real property of the debtor to

98 secure payment of the debt, and if the term to be changed affects the method for calculating

99 minimum payments, or is part of the finance charge,]

100 [the {~~]~~} {~~(3) A~~} creditor may apply {~~[~~} the {~~]~~} {~~a~~} new term {~~of an open-end consumer credit~~

101 ~~contract~~} to an account balance relating to a credit transaction that occurred prior to the effective

102 date of the change only if:

103 (a) {~~(i)~~} the debtor expressly so agrees after notice of the change has been given by the

104 creditor; or

105 {~~[~~} (b) (i) {~~]~~} {~~(ii) (A)~~} the creditor notifies the debtor that:

106 {~~[~~} (A) {~~]~~} {~~(I)~~} further extensions of credit will not be permitted unless the debtor agrees that

107 the new term may be applied to an existing account balance; and

108 {~~[~~} (B) {~~]~~} {~~(II)~~} any future charges to the account will constitute agreement; and

109 {~~[~~} (ii) {~~]~~} {~~(B)~~} the debtor makes a charge to the account after receiving notice described in

110 Subsection (3) {~~[~~} (b)(i). {~~]~~} {~~(a)(ii)(A); and~~

111 ~~(b) (i) the creditor has taken a security interest in any real property of the debtor to~~

112 ~~secure payment of the debt under an open-end consumer credit contract; and~~

113 ~~(ii) the term to be changed in the open-end consumer credit contract:~~

114 ~~(A) affects the method for calculating minimum payments; or~~

115 ~~(B) is part of the finance charge.~~

Senator Knudson's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Mansell

* * *

On motion of Senator Hickman, the circle was removed from **S.B. 54**, REVENUE FLOW FROM SPEEDING VIOLATIONS, and it was before the Senate. Senator Hickman explained the bill.

Senator Hickman proposed the following amendment:

1. Page 1, Lines 15 through 17a
   Senate Committee Amendments
   1−25−2006

15 ▶ requires Ŝ➔ [~~district courts and~~] ←Ŝ justice courts to pay Ŝ➔ 1/2 of ←Ŝ a fine or forfeiture collected for a

16 violation of a speed limit on a highway that is part of the interstate system {~~or~~} , on the

17 Legacy Parkway , or on a state highway in certain counties to the state treasurer Ŝ➔ if the citation was issued by a law enforcement agency

17a employed by a county or municipality ←Ŝ; and

2. Page 4, Lines 92 through 95b
   a. Senate Committee Amendments
   b. 1−25−2006:

92 (7) Fines and forfeitures collected by the court for the violation of a speed limit

93 established under Section 41−6a−602 shall be remitted 1/2 to the state treasurer and 1/2 in accordance with Subsection (1) if the citation for the violation was issued:

(a)(i) on a highway that is part of the interstate system as

94 defined in Section 72−1−102 {~~− or~~ } ;
(ii) on the Legacy Parkway as defined in Section 72−3−113 ; or
(iii) on a highway designated as a state highway under Title 72, Chapter 4, Designation of State Highways, if the highway is located in a county other than a county of the first class as defined in Section 17−50−501; and
(b) {− ~~shall be~~
95 Ŝ➔ ~~[paid to the state treasurer~~] remitted 1/2 to the state treasurer and 1/2 in accordance with
95a ~~Subsection (1) if the citation for the violation was issued~~ } by a law enforcement agency
95b employed by a county or municipality ←Ŝ .

Senator Hickman's motion to amend passed on a voice vote. Senator Thomas commented.

On motion of Senator Hickman, the bill was circled.

* * *

On motion of Senator Knudson, the circle was removed from **H.B. 43**, SUNSET REVIEW AND REAUTHORIZATIONS, and it was before the Senate. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 3, Line 65:
Delete "2011" and insert "2007"

Senator Knudson's motion to amend passed on a voice vote. Senators Davis, Evans, Hale, and Hellewell commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Mansell
Valentine			

* * *

S.B. 147, DIVISION OF CONSUMER PROTECTION AMENDMENTS, was read the second time. Senator Eastman explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Hillyard

* * *

S.B. 94, AMENDMENTS TO UTAH COMPREHENSIVE HEALTH INSURANCE POOL, was read the second time. Senator Davis explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Hickman
Killpack			

* * *

S.R. 3, RESOLUTION URGING PARTICIPATION BY TAIWAN IN WORLD HEALTH ORGANIZATION, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 74, PRIVATIZATION OF GOVERNMENT FUNCTIONS TASK FORCE, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Hickman

* * *

S.B. 113, GOVERNMENTAL IMMUNITY LIMITS, was read the second time.

On motion of Senator Stephenson, the following substitute bill replaced the original bill:

1st Sub. S.B. 113 Governmental Immunity Limits (H. Stephenson)

Senator Stephenson explained the bill.

On motion of Senator Stephenson, the bill was circled.

* * *

1st Sub. S.B. 155, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Dmitrich

* * *

On motion of Senator Knudson and at 5:00 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 2, 2006.

FEBRUARY 2, 2006

EIGHTEENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − David Christensen, Former Director, University of Utah Institute of Religion, The Church of Jesus Christ of Latter−Day Saints

Pledge of Allegiance − Senator Parley Hellewell

Roll Call − All Senators present except Senators Mansell and Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE GOVERNOR

Mr. President: January 17, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Weber Basin Water Conservancy District Board of Directors:

Wayne B. Gibson is reappointed as a member of the Weber Basin Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Charlene McConkie is reappointed as a member of the Weber Basin Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Steve Osguthorpe is reappointed as a member of the Weber Basin Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Scott F. Peterson is reappointed as a member of the Weber Basin Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Crime Victim's Reparation Board:

Dr. Michael B. Madsen is appointed to replace Dr. Anthony Wayne Middleton, Jr. as a member of the Crime Victim's Reparation Board, a term to expire April 15, 2007. See Utah Code Ann. 63−25a−404.

Health Facility Committee:

Dr. Jeanette Drews is appointed to replace Susan Marquhardt as a member of the Health Facility Committee, a term to expire July 1, 2008. See Utah Code Ann. 26−1−7 and 26−21−3. Dr. Drews is a Democrat.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Senator Hillyard moved to consent to the appointments as read by Leslie McLean. The motion passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Arent	Buttars	Mansell	Walker

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 1, 2006

The House passed, **S.B. 53**, ADULT PROTECTIVE SERVICES AMENDMENTS, by Senator A. Christensen, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 53 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 1, 2006

The House passed **H.B. 38**, WATER REUSE REQUIREMENTS, by Representative B. Ferry, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 46**, ENERGY POLICY AMENDMENTS, by Representative R. Barrus, et al, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 87**, USE OF DISASTER LOAN FUNDS, by Representative D. Clark, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 212**, DNA DATABASE AMENDMENTS, by Representative J. S. Adams, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 219**, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed **H.B. 228**, GROUNDWATER MANAGEMENT PLAN, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.B. 229**, TRAUMA REGISTRY DATA, by Representative S. Allen, et al, and it is transmitted for consideration; and

The House passed **H.B. 242**, MOTORBOAT LIABILITY INSURANCE AMENDMENTS, by Representative K. Gibson, and it is transmitted for consideration; and

The House passed, as amended, **H.C.R. 3**, RESOLUTION REGARDING THE HARMFUL EFFECTS OF TOBACCO, ALCOHOL, AND DRUGS ON YOUTH, by Representative N. Hansen, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.C.R. 4**, RESOLUTION SUPPORTING UTAH HIGHWAY PATROL USE OF WHITE CROSSES AS ROADSIDE MEMORIALS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 2**, RESOLUTION URGING CONGRESSIONAL ACTION ON THE TAX DEDUCTIBILITY OF MEDICAL EXPENSES BY INDIVIDUALS, by Representative E. Hutchings, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 38, 1st Sub. H.B. 46, 1st Sub. H.B. 87, H.B. 212, 1st Sub. H.B. 219, H.B. 228, H.B. 229, H.B. 242, H.C.R. 3, H.C.R. 4,** and **H.J.R. 2** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 1, 2006

The House passed, as amended, **S.B. 108**, ETHICS IN DENTAL ADVERTISING, by Senator P. Knudson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

INTRODUCTION OF BILLS

S.B. 84, **Nonprofit Entity Amendments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 85, **State Arts Collection Inventory Program** (B. Evans), read the first time by short title and referred to the Rules Committee.

S.B. 200, **Voter Registration − Proof of Citizenship** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 226, **Certificate of Title Delivery Provisions** (D. Eastman), read the first time by short title and referred to the Rules Committee.

S.J.R. 8, **Resolution Submitting Minimum Wage Question to the Voters** (E. Mayne), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 66, PRICE CONTROLS DURING EMERGENCIES AMENDMENTS, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

S.B. 66 was transmitted to the House for consideration.

* * *

H.B. 235, PUBLIC SAFETY VEHICLES − MARKING LIGHTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

H.B. 235 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 164, REPEAL OF ORDINATION BY INTERNET, was read the third time, explained by Senator Davis, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

S.B. 164 was transmitted to the House for consideration.

TIME CERTAIN

On motion of Senator Knudson, the Senate voted to approve a citation for Insure−Rite.

CONCURRENCE CALENDAR

S.B. 12, ELECTRONIC MEETING AMENDMENT, was before the Senate.

On motion of Senator Evans, the bill was circled.

* * *

On motion of Senator Hatch, the Senate voted to concur in the House amendments to **S.B. 27**, LAKE POWELL PIPELINE DEVELOPMENT. Senator McCoy commented. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Jenkins	Mansell

S.B. 27, was returned to the House for further action.

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 12**, ELECTRONIC MEETING AMENDMENT, and it was before the Senate.

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 12**, ELECTRONIC MEETING AMENDMENT. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Mansell

S.B. 12 was returned to the House for further action.

THIRD READING CALENDAR

H.B. 29, TOWNSHIP AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hellewell	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Hickman
Hillyard	Mansell		

H.B. 29 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 21, CHILD WELFARE REVISIONS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 23, OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

1st Sub. H.J.R. 3, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 20, COMMERCIAL DRIVER TRAINING SCHOOL ACT AMENDMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Mansell

H.B. 20 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, the circle was removed from **H.B. 21**, CHILD WELFARE REVISIONS. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Mansell

H.B. 21 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, the circle was removed from **H.B. 23**, OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Hickman
Mansell			

H.B. 23 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **1st Sub. H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

1st Sub. H.J.R. 3, as amended, was returned to the House for further action.

* * *

H.B. 35, STATE HIGHWAYS AMENDMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Mansell

H.B. 35 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Killpack, the following intent language is included in the Senate Journal.

INTENT LANGUAGE FOR H.B. 35

It is the intent of the Legislature to clarify that State Route 196 is part of the state highway system, pursuant to authority established in Utah Code 72−4−102(1)(a).

* * *

H.B. 258, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS, was read the third time and explained by Senator Evans.

On motion of Senator Evans, the following substitute bill replaced the original bill:

1st Sub. H.B. 258 Government Records Access and Management Act − Public Records (B. Ferry)

Senators Jenkins and Arent commented and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Mansell

1st Sub. H.B. 258, as substituted, was returned to the House for further action.

* * *

H.B. 71, ECONOMIC DEVELOPMENT − SUNSET MODIFICATIONS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Eastman	Evans	Hillyard
Mansell			

H.B. 71 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 17, UNINSURED MOTORIST IDENTIFICATION DATABASE PROGRAM AMENDMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Hillyard	Mansell

1st Sub. H.B. 17 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 19, IDENTIFICATION CARD AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

1st Sub. H.B. 19 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 61, UNIFORM MEDIATION ACT, was read the third time.

On motion of Senator Hillyard, the bill was circled.

* * *

S.B. 149, PROVIDING FOR INDIGENT DEFENSE, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Eastman	Fife	Jenkins
Killpack	Mansell		

S.B. 149 was transmitted to the House for consideration.

* * *

S.B. 101, COUNTY ASSISTANCE TO NONPROFIT ENTITIES, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

S.B. 101 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 103, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

Senator Bramble declared a conflict of interest.

1st Sub. S.B. 103 was transmitted to the House for consideration.

* * *

S.B. 117, EMINENT DOMAIN AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Killpack	Mansell

S.B. 117 was transmitted to the House for consideration.

* * *

S.B. 158, ADMINISTRATIVE RULEMAKING AUTHORITY AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Mansell

S.B. 158 was transmitted to the House for consideration.

* * *

S.J.R. 2, RESOLUTION ENLARGING REVENUES AND ASSETS IN STATE TRUST FUND, was read the third time and explained by Senator Hillyard. Senators Hickman, Evans, Jenkins, Dmitrich, and Hatch commented and the bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Voting in the negative was: Senator
Jenkins

Absent or not voting were: Senators

Buttars	Killpack	Mansell	Waddoups

S.J.R. 2 was transmitted to the House for consideration.

* * *

S.B. 141, RESPONSE TO HIPAA CHANGES, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Killpack	Mansell	Waddoups

S.B. 141 was transmitted to the House for consideration.

* * *

On motion of Senator Knudson and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Friday, February 3, 2006.

FEBRUARY 3, 2006

NINETEENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Commissioner Larry Ross, Roosevelt, Utah
Pledge of Allegiance − Senator Michael Waddoups
Roll Call − All Senators present except Senators Buttars and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 2, 2006

The Speaker of the House has signed **S.B. 12**, ELECTRONIC MEETING AMENDMENT, by Senator L. Hillyard, et al, and it is transmitted for the signature of the President; and

The House passed, **S.B. 18**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 27**, LAKE POWELL PIPELINE DEVELOPMENT ACT, by Senator T. Hatch, et al, and it is transmitted for the signature of the President; and

The House passed, **S.B. 95**, PSYCHOLOGIST LICENSING ACT AMENDMENTS, by Senator E. Mayne, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 111**, WATER CONSERVANCY DISTRICT AMENDMENTS, by Senator T. Hatch, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 130**, JOINT TENANCY AMENDMENTS, by Senator T. Hatch, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 12, S.B. 18, S.B. 27, S.B. 95, S.B. 111, and **S.B. 130** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 1, 2006

The House passed **H.B. 8**, MARRIAGE PREPARATION EDUCATION, by Representative R. McGee, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 57**, COUNTY OFFICERS AMENDMENTS, by Representative R. Menlove, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 79**, PRESCRIPTION DRUG PURCHASING POOLS, by Representative B. Last, and it is transmitted for consideration; and

The House passed **H.B. 86**, PROPERTY TAX − REFUNDING TAX PREPAYMENTS, by Representative F. Hunsaker, and it is transmitted for consideration; and

The House passed **H.B. 209**, PARTIAL LUMP−SUM RETIREMENT PAYMENT OPTION, by Representative D. Clark, et al, and it is transmitted for consideration; and

The House passed **H.B. 216**, EXPIRATION OF GROUP HEALTH INSURANCE FOR RETIRED GOVERNORS AND LEGISLATORS, by Representative D. Clark, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 234**, SEAT BELT AMENDMENTS, by Representative J. Murray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 256**, REQUIREMENT OF PROPERTY TAX INCREASE ADVERTISEMENT, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed **H.B. 261**, PROPERTY TAX REVISIONS, by Representative M. Newbold, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 8, 1st Sub. H.B. 57, 1st Sub. H.B. 79, H.B. 86, H.B. 209, H.B. 216, H.B. 234, H.B. 256,** and **H.B. 261** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 2, 2006

The House passed, as amended, **1st Sub. S.B. 13**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Senator S. Killpack, and it is transmitted for further consideration; and

The House substituted and passed, **1st Sub. S.B. 47**, RESTORATION OF VOTING RIGHTS AMENDMENTS, by Senator B. Goodfellow, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 2, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 205	Real Property − Partial Release or Partial Reconveyance (Sen. T. Hatch)
H.B. 308	Insurance Policy and Contract Law Amendments (Rep. T. Kiser)

Education Committee

H.C.R. 2	Resolution Promoting Utah's Legislators Back to School Program (Rep. M. Dayton)

Government Operations/Political Subdivisions Committee

S.B. 60	Western States Presidential Primary (Sen. P. Knudson)
S.B. 85	State−owned Art Collections Inventory Program (Sen. B. Evans)

S.B. 178	State Executive Compensation − Department of Health (Sen. P. Knudson)
S.B. 200	Voter Registration − Proof of Citizenship (Sen. M. Madsen)
S.B. 229	Civil Service Commissions (Sen. S. Jenkins)
S.J.R. 8	Resolution Submitting Minimum Wage Question to the Voters (Sen. E. Mayne)
H.B. 41	Preservation of and Access to State Publications (Rep. M. Noel)
H.B. 207	Inherent Risks of Participating in Recreational Activities on Property Owned by Local Government (Rep. D. Bowman)
H.B. 210	County Ordinance Amendments (Rep. L. Wiley)

Health and Human Services Committee

S.B. 213	Clarifications to Guardian Ad Litem (Sen. D. Eastman)
H.B. 27	Divorce Education Amendments (Rep. L. Fowlke)
H.B. 105	Medicaid Generic Drug Reimbursement Amendments (Rep. M. Walker)
H.B. 217	Health Insurance High Risk Pool Eligibility Amendments (Rep. D. Litvack)
H.B. 229	Trauma Registry Data (Rep. S. Allen)
H.C.R. 3	Resolution Regarding the Harmful Effects of Tobacco, Alcohol, and Drugs on Youth (Rep. N. Hansen)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 167	Juvenile Offenses − Diversion Amendment (Sen. P. Arent)
S.B. 184	Criminal Identity Fraud Amendments (Sen. C. Walker)
H.B. 60	Controlled Substance Amendments (Rep. C. Oda)
H.B. 70	Statute of Limitations on Bodily Injury (Rep. C. Oda)
1st Sub. H.B. 85	Abortion by a Minor − Parental Notification and Consent (Rep. K. Gibson)
H.B. 208	Aggravated Murder Amendment (Rep. S. Wyatt)
H.B. 212	Dna Database Amendments (Rep. J. S. Adams)
1st Sub. H.B. 219	Child Protection − Clandestine Laboratory Operation (Rep. E. Hutchings)
H.C.R. 4	Resolution Supporting Utah Highway Patrol Use of White Crosses as Roadside Memorials (Rep. P. Ray)

Natural Resources, Agriculture, and Environment Committee

S.B. 39	General Fund Surplus Appropriation for Water Development Projects (Sen. L. Hillyard)
H.B. 38	Water Reuse Requirements (Rep. B. Ferry)

Revenue and Taxation Committee

S.B. 179	Amendments to Sales and Use Tax Exemptions for Certain Vehicles, Boats, Boat Trailers, and Outboard Motors (Sen. H. Stephenson)
H.B. 265	Due Date for Filing Electronically Filed Withholding Returns (Rep. M. Newbold)
H.J.R. 2	Resolution Urging Congressional Action on the Tax Deductibility of Medical Expenses by Individuals (Rep. E. Hutchings)

Transportation/Public Utilities/Technology Committee

S.B. 226	Registration and Title Provisions (Sen. D. Eastman)
1st Sub. H.B. 46	Energy Policy Amendments (Rep. R. Barrus)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 2, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 177**, WATER RIGHT APPLICATION AMENDMENT, by Senator T. Hatch.

Michael G. Waddoups, Chair

Mr. President: February 2, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, by Senator S. Killpack; and

The Transportation and Public Utilities and Technology Committee recommends **S.B. 129**, MOTOR VEHICLE REGISTRATION AMENDMENTS,

by Senator S. Killpack, be replaced and favorably recommends **1st Sub. S.B. 129,** MOTOR VEHICLE REGISTRATION AMENDMENTS.

Sheldon L. Killpack, Chair

Mr. President: February 2, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 52**, ANTIPHISHING PROVISIONS, by Senator P. Arent; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 135**, INHERENT RISK OF SKIING AMENDMENTS, by Senator L. Hillyard; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 173**, LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS, by Senator T. Hatch; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 181**, RESTORATION OF FELON'S RIGHT TO HOLD OFFICE, by Senator P. Hellewell.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 177, S.B. 80, 1st Sub. S.B. 129, S.B. 52, S.B. 135, S.B. 173,** and **S.B. 181** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 198, **Property Tax − Intangible Property** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 204, **High School Graduation Amendments** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 214, **Office of State Debt Collection Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 217, **School and Institutional Trust Lands Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

S.B. 224, **Motor Vehicle Insurance Amendments** (S. Killpack), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

1st Sub. S.B. 165, CORPORATIONS − PROFESSIONAL SERVICES AMENDMENT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Evans	Jenkins
Mansell	Stephenson		

1st Sub. S.B. 165 was transmitted to the House for consideration.

* * *

S.B. 172, VITAL STATISTICS ACT AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Dmitrich
Eastman	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Christensen	Evans
Jenkins	Mansell		

S.B. 172 was transmitted to the House for consideration.

* * *

CONCURRENCE CALENDAR

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **S.B. 108**, ETHICS IN DENTAL ADVERTISING. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Christensen	Evans	Mansell

S.B. 108 was returned to the House for further action.

THIRD READING CALENDAR

S.B. 146, PHYSICIAN ASSISTANTS AND PUBLIC HEALTH AMENDMENTS, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

S.B. 146 was transmitted to the House for consideration.

* * *

S.B. 152, MEDICAID TASK FORCE, was read the third time.

On motion of Senator Killpack, the bill was circled.

* * *

S.B. 139, REPORTABLE TRANSACTIONS ACT, was read the third time and explained by Senator Stephenson. Senator Bramble commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

S.B. 139 was transmitted to the House for consideration.

* * *

S.B. 119, REPEAL OF OFF−HIGHWAY VEHICLE REGISTRATION NUMBER, was read the third time and explained by Senator Hatch. Senators Stephenson and Mayne commented and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Buttars	Killpack	Mansell

S.B. 119 was transmitted to the House for consideration.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Congressman Chris Cannon spoke in Committee of the Whole. Senators Thomas, Peterson, and Stephenson commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

1st Sub. S.B. 75, U STAR INITIATIVE, was read the third time.

On motion of Senator Waddoups, the bill was circled.

* * *

S.B. 123, UTAH CONSUMER CREDIT CODE AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Killpack	Madsen
Mansell	Walker		

S.B. 123 was transmitted to the House for consideration.

* * *

H.B. 43, SUNSET REVIEW AND REAUTHORIZATIONS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.B. 43, as amended, was returned to the House for further consideration.

* * *

S.B. 147, DIVISION OF CONSUMER PROTECTION AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Buttars	Goodfellow	Hickman	Mansell
Valentine			

S.B. 147 was transmitted to the House for consideration.

* * *

S.B. 94, AMENDMENTS TO UTAH COMPREHENSIVE HEALTH INSURANCE POOL, was read the third time, explained by Senator Davis, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Evans	Mansell	Valentine

S.B. 94 was transmitted to the House for consideration.

* * *

S.B. 74, PRIVATIZATION OF GOVERNMENT FUNCTIONS TASK FORCE, was read the third time and explained by Senator Stephenson. Senators Dmitrich and Mayne commented.

Senator Dmitrich proposed the following amendment:

1. Page 2, Line 32:
   After "(a)" delete "five" and insert "six"

Senator Dmitrich's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Mansell
Valentine			

S.B. 74, as amended, was transmitted to the House for consideration.

* * *

1st Sub. S.B. 155, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, was read the third time.

On motion of Senator Bell, the bill was circled.

SECOND READING CALENDAR

S.B. 65, WILDLAND FIRE SUPPRESSION AMENDMENTS, was read the second time. Senator Thomas explained the bill.

Senator Thomas proposed the following amendment:

1. Page 1, Lines 25 through 26

25 Other Special Clauses:

26 {~~None~~} This bill coordinates with H.B. 361 by technically renumbering.

1. Page 4, Line 95:

95 eligible for the exemption provided in Subsection 65A−8−6.2(2)(b).

Section 3. Coordinating S.B. 65 with H.B. 361 −− Technical renumbering.

If this S.B. 65 and H.B. 361, Department of Natural Resources Amendments, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, change the references in this bill in Subsections 65A−8−6.4(1)(a)(ii) and (2) from "Subsection 65A−8−6.2(2)(b)" to "Subsection 65A−8−205(2)(b)".

Senator Thomas' motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Hatch	Mansell	Valentine

* * *

On motion of Senator Knudson, the circle was removed from **S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT, and it was before the Senate.

On motion of Senator Knudson, the following substitute bill replaced the original bill:

1st Sub. S.B. 127 Vacating or Changing a Subdivision Plat (P. Knudson)

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 153, UNIFORM ENVIRONMENTAL COVENANTS ACT, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker

Absent or not voting were: Senators

Buttars	Hatch	Mansell	Waddoups
Valentine			

* * *

On motion of Senator Bramble, legislative staff was authorized to draft a bill regarding Securities Fraud.

TIME CERTAIN

A citation was read by Senator Hale in recognition of Nationally Board−Certified Teachers in Utah.

* * *

On motion of Senator Bramble, **S.R. 3**, RESOLUTION URGING PARTICIPATION BY TAIWAN IN WORLD HEALTH ORGANIZATION, was lifted from the Second Reading Calendar and placed on the Time Certain Calendar; it will be considered February 21, 2006 at 3:00 p.m..

* * *

On motion of Senator Knudson and at 11:40 a.m., the Senate adjourned until 10:00 a.m., Monday, February 6, 2006.

FEBRUARY 6, 2006

TWENTY−SECOND DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Bob Greenwall, former President of the Salt Lake Wasatch Stake of the Church of Jesus Christ of Latter−Day Saints

Pledge of Allegiance − Senator Lyle Hillyard

Roll Call − All Senators present except Senators Buttars and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 3, 2006

The House concurred in the Senate amendments and passed **1st Sub. H.B. 258**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS, by Representative B. Ferry, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 258 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 3, 2006

The House passed **H.B. 30**, EMANCIPATION OF A MINOR, by Representative R. McGee, et al, and it is transmitted for consideration; and

The House passed **H.B. 226**, KINDERGARTEN READINESS, by Representative L. Shurtliff, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 245**, CHILD CUSTODY DETERMINATIONS, by Representative L. Fowlke, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 247**, PLEA IN ABEYANCE FEE, by Representative M. S. Lawrence, and it is transmitted for consideration; and

The House passed **H.B. 315**, REAL ESTATE AMENDMENTS, by Representative G. Snow, et al, and it is transmitted for consideration; and

The House passed **H.C.R. 5**, RESOLUTION URGING CONGRESS TO RESOLVE CAMP WILLIAMS BOUNDARY ISSUES, by Representative D. Hogue, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 30, H.B. 226, 1st Sub. H.B. 245, 1st Sub. H.B. 247, H.B. 315,** and **H.C.R. 5** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 3, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 84	Nonprofit Entity Amendments (Sen. L. Hillyard)
S.B. 90	Homeowners Association Provisions (Sen. J. Hickman)
H.B. 250	Local Governments Restrictions on Limiting Certain Fees (Rep. G. Hughes)

Education Committee

S.B. 204	High School Graduation Amendments (Sen. M. Madsen)
H.B. 81	Tuition Program for Students Seeking Teacher Licensure (Rep. R. Menlove)

Government Operations/Political Subdivisions Committee

S.B. 214	Office of State Debt Collection Amendments (Sen. P. Knudson)
1st Sub. H.B. 57	County Officers Amendments (Rep. R. Menlove)
1st Sub. H.B. 87	Use of Disaster Loan Funds (Rep. D. Clark)

Health and Human Services Committee

1st Sub. H.B. 79	Prescription Drug Purchasing Pools (Rep. B. Last)

Natural Resources , Agriculture and Environment

S.B. 217	School and Institutional Trust Lands Amendments (Sen. T. Hatch)

Revenue and Taxation Committee

S.B. 198	Property Tax − Intangible Property (Sen. C. Bramble)
H.B. 86	Property Tax − Refunding Tax Prepayments (Rep. F. Hunsaker)
H.B. 261	Property Tax Revisions (Rep. M. Newbold)

Transportation/Public Utilities/Technology Committee

S.B. 224	Motor Vehicle Insurance Amendments (Sen. S. Killpack)
H.B. 234	Seat Belt Amendments (Rep. J. Murray)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 3, 2006

The Business and Labor Committee recommends **S.B. 76**, LENDERS REGISTRATION ACTS AMENDMENTS, by Senator E. Mayne, be replaced and favorably recommends **1st Sub. S.B. 76,** LENDERS REGISTRATION ACTS AMENDMENTS; and

The Business and Labor Committee recommends **S.B. 92**, LICENSURE OF CRANE OPERATORS, by Senator G. Davis, et al, be replaced and favorably recommends **1st Sub. S.B. 92,** CERTIFICATION OF CRANE OPERATORS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 168**, COMMUNITY ASSOCIATION ACT AMENDMENTS, by Senator M. Waddoups; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 32**, LIFE INSURANCE AND ANNUITY LAW AMENDMENTS, by Representative J. Dunnigan; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 34**, INSURANCE REPORTS, TABLES, AND EXAMINATION AMENDMENTS, by Representative J. Dunnigan.

Scott K. Jenkins, Chair

Mr. President: February 3, 2006

The Education Committee reports a favorable recommendation on **S.B. 174**, IN−STATE TUITION FOR MEMBERS OF UTAH NATIONAL GUARD, by Senator P. Knudson; and

The Education Committee reports a favorable recommendation on **S.C.R. 1**, RESOLUTION ENCOURAGING SCHOOL BOARDS TO ADOPT POLICY PROHIBITING BULLYING, by Senator P. Arent; and

The Education Committee reports a favorable recommendation on **S.J.R. 9**, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS, by Senator P. Hellewell, with the following amendments:

1. Page 2, Lines 42 through 45: {–

42 ~~WHEREAS, courts have ruled that voluntary student participation in prayer in public~~

43 ~~schools is permitted if the policy permitting it ensures that there is no direct or indirect~~

44 ~~coercion and no identification with a particular religion, and that the prayer should be~~

45 ~~nonsectarian, nondenominational, and nonproselytizing in character;~~ }

WHEREAS, courts have upheld the right of students to spontaneously pray in school settings, and school administrators and teachers are in no way permitted to discourage religious expression, including prayer, by a student;

WHEREAS, in the classroom, instruction covering religious subject matter is permitted, provided the teacher does not advocate religion in general or one or more religions in particular**;** ; and

The Education Committee reports a favorable recommendation on **H.B. 66**, TUITION WAIVERS FOR HIGHER EDUCATION, by Representative C. Buttars.

Mark B. Madsen, Acting Chair

Mr. President: February 3, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 79**, UNIFORM DEBT−MANAGEMENT SERVICES ACT, by Senator L. Hillyard; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 190**, SHARED GOVERNMENT RECORDS AMENDMENTS, by Senator M. Dmitrich, with the following amendments:

1. Page 1, Lines 18 through 20:

18 ► provides that a {~~ person may not submit a request for a record to a ~~} governmental

19 entity that has received {~~ the ~~} a record as a shared record from another governmental

20 entity for enforcing, litigating, or investigating the law or for auditing purposes may not provide the record;

► provides that if a governmental entity is prohibited from providing certain records, it shall deny the records request and inform the person making the request that records requests must be submitted to the governmental entity that prepares, owns, or retains the record; and

► make technical changes .

2. Page 2, Lines 38 through 45:

38 (2) (a) Subject to Subsection (2)(b), a person making a request for a record shall submit

39 the request to the governmental entity that prepares, owns, or retains the record.

40 (b) {~~ A person may not submit a request for a record to a governmental entity that has~~

41 ~~received the record~~ } In response to a request for a record, a governmental entity may not provide a record that it has received under Section 63−2−206 as a shared record if the record was shared for the purpose of:

42 (i) enforcing, litigating, or investigating civil, criminal, or administrative law; or

43 (ii) auditing, if the governmental entity is authorized by state statute to conduct an

44 audit.

(c) If a governmental entity is prohibited from providing a record under Subsection (2)(b), it shall:

(i) deny the records request; and

(ii) inform the person making the request that records requests must be submitted to the governmental entity that prepares, owns, or retains the record.

45 [~~(2)~~] {~~(c)~~ } (d) A governmental entity may make rules in accordance with Title 63, Chapter ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 13**, COMMON POLLING PLACES AMENDMENTS, by Representative D. Aagard, with the following amendments:

1. Page 2, Lines 42 through 47:

42 (2) (a) The county legislative body shall alter or divide voting precincts so that each

43 voting precinct contains not more than [~~1,000~~] {~~2,000~~ } 1,250 active voters.

44 (b) The county legislative body shall:

45 (i) identify those precincts that may reach [~~1,000~~] {~~2,000~~ active voters or become } the limit of active voters in a precinct under Subsection (2)(a) or that becomes too

46 large to facilitate the election process; and

47 (ii) divide those precincts before February 1. ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 15**, EARLY VOTING, by Representative D. Aagard; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 67**, MILITARY AND OVERSEAS

CITIZENS ABSENTEE VOTER AMENDMENTS, by Representative S. Urquhart.

Parley G. Hellewell, Chair

Mr. President: February 3, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 89**, SALES AND USE TAX − ATTACHMENT OF TANGIBLE PERSONAL PROPERTY TO REAL PROPERTY, by Senator H. Stephenson; and

The Revenue and Taxation Committee recommends **S.B. 121**, SMALL COLLEGE ENHANCEMENTS, by Senator J. Hickman, be replaced and favorably recommends **1st Sub. S.B. 121,** SMALL COLLEGE ENHANCEMENTS; and

The Revenue and Taxation Committee recommends **S.B. 175**, CORRECTIONAL FACILITY BIDDING PROCESS, by Senator H. Stephenson, be replaced and favorably recommends **1st Sub. S.B. 175,** CORRECTIONAL FACILITY BIDDING PROCESS with the following amendments:

1. Page 2, Line 95:
   After "legislative" insert "Executive Appropriations Committee and the"; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 192**, EXEMPTIONS TO RESIDENTIAL PROPERTY TAX, by Senator E. Mayne; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.J.R. 7**, JOINT RULES RESOLUTION AMENDING LEGISLATIVE EXPENSES, by Senator G. Bell; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 54**, SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN AGRICULTURAL PRODUCTS, by Representative G. Snow; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 55**, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, by Representative W. Harper.

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. S.B. 76, 1st Sub. S.B. 92, S.B. 168, H.B. 32, H.B. 34, S.B. 174, S.C.R. 1, S.J.R.9,**

as amended, **H.B. 66, S.B. 79, S.B. 190,** as amended, **H.B. 13,** as amended, **H.B. 15, H.B. 67, S.B. 89, 1st Sub. S.B. 121, 1st Sub. S.B. 175,** as amended, **S.B. 192, S.J.R. 7, H.B. 54,** and **1st Sub. H.B. 55** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 3, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.C.R. 3**, CONCURRENT RESOLUTION HONORING AMERICA'S MILITARY WAR DOGS, by Senator E. Mayne, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 205**, REPEAL OF OBSOLETE DEPENDENT SPECIAL DISTRICTS, by Representative Julie Fisher, and recommends it be considered read for the second time and placed on the Consent Calendar.

Parley G. Hellewell, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.C.R. 3** and **H.B. 205** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 195, **Child Support Guidelines** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 208, **Reporting of Tax Expenditures** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 222, **Outdoor Advertising − Height Adjustment of Signs** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

S.B. 230, **Personal Property and Personal Injury Claim** (G. Bell), read the first time by short title and referred to the Rules Committee.

S.B. 249, **County Government Amendments** (D. Peterson), read the first time by short title and referred to the Rules Committee.

S.B. 256, **Transit Security Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 267, **Changes to Local Government Provisions** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 26, FILING LIENS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

H.B. 26 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

CONCURRENCE CALENDAR

On motion of Senator Killpack, the Senate voted to concur in the House amendments to **1st Sub. S.B. 13**, COMMERCIAL DRIVER LICENSE AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Mansell

1st Sub. S.B. 13 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Goodfellow, the Senate voted to concur in the House amendments to **1st Sub. S.B. 47**, RESTORATION OF VOTING RIGHTS AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Mansell

1st Sub. S.B. 47 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

On motion of Senator Bell, the circle was removed from **1st Sub. S.B. 155**, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, and it was before the Senate. Senator Bell explained the bill.

Senator Bell proposed the following amendment:

1. Page 12, Line 363:
   After “appeal a” insert “final”

2. Page 12, Line 365:
   After “appeal a” insert “final”

3. Page 30, Line 919:
   After “appeal a” insert “final”

4. Page 30, Line 921:
After "appeal a" insert "final"

Senator Bell's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

1st Sub. S.B. 155, as amended, was transmitted to the House for consideration.

* * *

S.B. 65, WILDLAND FIRE SUPPRESSION AMENDMENTS, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators

Buttars	Eastman	Mansell	Stephenson
Walker			

S.B. 65 was transmitted to the House for consideration.

* * *

S.B. 153, UNIFORM ENVIRONMENTAL COVENANTS ACT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Mansell

S.B. 153 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Walker, the circle was removed from **S.B. 71**, CONSUMER CREDIT PROTECTION, and it was before the Senate.

On motion of Senator Walker, the following substitute bill replaced the original bill:

2nd Sub. S.B. 71 Consumer Credit Protection (C. Walker)

Senator Walker explained the bill. Senators Hale and Arent commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Mansell

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Congressman Rob Bishop spoke in Committee of the Whole.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

On motion of Senator Hickman, the circle was removed from **S.B. 54**, REVENUE FLOW FROM SPEEDING VIOLATIONS, and it was before the Senate. Senator Hickman explained the bill. Senator Thomas declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Bell	Jenkins	Thomas

Absent or not voting were: Senators

Buttars	Killpack	Mansell

* * *

On motion of Senator Knudson, under suspension of the rules, the Senate voted to lift **1st Sub. H.B. 57**, COUNTY OFFICERS AMENDMENTS, from the Government Operations and Political Subdivisions Standing Committee and place it at the top of the Second Reading Calendar. Senators Waddoups and Bramble commented.

1st Sub. H.B. 57, COUNTY OFFICERS AMENDMENTS, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Stephenson, the circle was removed from **1st Sub. S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS, and it was before the Senate. Senator Stephenson explained the bill. Senator Hillyard commented. Senators Valentine and Hillyard declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

On motion of Senator Hatch, legislative staff was authorized to draft a bill regarding tax reduction.

* * *

On motion of Senator Madsen, the circle was removed from **S.B. 72**, HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS, and it was before the Senate.

On motion of Senator Madsen, the following substitute bill replaced the original bill:

1st Sub. S.B. 72 Home School and Dual Enrollment Amendments (M. Madsen)

Senator Arent commented.

On motion of Senator Madsen, the bill was circled.

* * *

On motion of Senator Knudson, the circle was removed from **1st Sub. H.B. 57**, COUNTY OFFICERS AMENDMENTS, and it was before the Senate.

On motion of Senator Knudson, under suspension of the rules, **1st Sub. H.B. 57**, COUNTY OFFICERS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

1st Sub. H.B. 57 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bramble the Senate voted to lift **H.B. 51** from the Third Reading Table and placed it on the Third Reading Calendar.

H.B. 51, SALES AND USE TAXATION OF AMUSEMENT DEVICES AND CLEANING OR WASHING OF TANGIBLE PERSONAL PROPERTY, was read the third time and explained by Senator Bramble. Senators McCoy and Killpack commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.B. 51 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Tuesday, February 7, 2006.

FEBRUARY 7, 2006

TWENTY−THIRD DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Rabbi Tracee Rosen, Congregation Koi Ami
Pledge of Allegiance − Senator Bill Hickman
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 6, 2006

The Speaker of the House has signed **S.B. 108**, ETHICS IN DENTAL ADVERTISING, by Senator P. Knudson, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 108 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 6, 2006

The House passed, as amended, **H.B. 39**, UTAH INTERNATIONAL TRADE COMMISSION, by Representative S. Allen, et al, and it is transmitted for consideration; and

The House passed **H.B. 40**, EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES AND ACTIVITIES, by Representative J. S. Adams, et al, and it is transmitted for consideration; and

The House passed **H.B. 119**, BOARD OF REGENTS AMENDMENTS, by Representative J. Alexander, et al, and it is transmitted for consideration; and

The House passed **H.B. 152**, NAVAJO TRUST FUND AMENDMENTS, by Representative B. King, et al, and it is transmitted for consideration; and

The House passed **H.B. 218**, SCHOOLS FOR THE DEAF AND BLIND SALARY ADJUSTMENT, by Representative K. Morgan, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 39, H.B. 40, H.B. 119, H.B. 152,** and **H.B. 218** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 6, 2006

The House refused to concur with the Senate Amendments to **1st Sub. H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow, et al, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Hillyard, the Senate voted to refuse to recede from its amendments to **1st Sub. H.J.R. 3**. President Valentine appointed a conference committee consisting of Senators Hillyard, Davis, and Hickman to meet with a like committee from the House.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 6, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 222	Outdoor Advertising − Height Adjustment of Signs (Sen. P. Hellewell)
H.B. 315	Real Estate Amendments (Rep. G. Snow)

Government Operations/Political Subdivisions Committee

S.B. 249	County Government Amendments (Sen. D. Peterson)
S.B. 267	Changes to Local Government Provisions (Sen. L. A. Mansell)
H.C.R. 5	Resolution Urging Congress to Resolve Camp Williams Boundary Issues (Rep. D. Hogue)

Health and Human Services Committee

S.B. 195	Child Support Guidelines (Sen. G. Bell)
1st Sub. H.B. 245	Child Custody Determinations (Rep. L. Fowlke)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 230	Personal Property and Personal Injury Claim (Sen. G. Bell)
H.B. 30	Emancipation of a Minor (Rep. R. McGee)
1st Sub. H.B. 247	Plea in Abeyance Fee (Rep. M. S. Lawrence)

Natural Resources, Agriculture, and Environment Committee

H.B. 45	Bear River Development Act (Rep. J. S. Adams)

Revenue and Taxation Committee

S.B. 208	Reporting of Tax Expenditures (Sen. S. McCoy)

Transportation/Public Utilities/Technology Committee

S.B. 256	Transit Security Amendments (Sen. C. Bramble)
H.B. 73	K. Gunn Mckay Highway Designation (Rep. N. Hansen)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 3, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 160**, PHYSICIAN LICENSING AMENDMENTS, by Senator B. Evans, with the following amendments:

1. Page 4, Lines 93 through 96:

93 (b) the applicant {~~documents~~} submits a written document to the division from a health care facility licensed under Title 26, Chapter21, Health Care Facility Licensing and Inspection Act, stating that the applicant is practicing under the invitation of {~~a~~

94 ~~sponsoring entity;~~} the health care facility;

95 (c) the applicant submits a {~~verification~~} signed certification to the division that the applicant meets the requirements of

96 Subsection (2);

2. Page 4, Line 103:

103 by endorsement is denied.

(4) The division shall issue a temporary license under Subsection (3) within 15 business days after the applicant satisfies the requirements of Subsection (3).; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 213**, CLARIFICATIONS TO GUARDIAN AD LITEM, by Senator D. Eastman, with the following amendments:

1. Page 6, Line 182 through Page 7, Line 186:

182 (3) {~~The~~} In civil cases in the district court, the attorney guardian ad litem [~~shall be appointed in accordance with and meet the~~

183 ~~requirements of Sections 78−3a−911 and 78−3a−912.~~] appointed under the provisions of this

184 section shall:

185 (a) represent the best interests of the child from the date of the appointment until

186 released by the court;

Allen M. Christensen, Chair

Mr. President: February 6, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 38**, WATER REUSE REQUIREMENTS, by Representative B. Ferry.

Michael G. Waddoups, Chair

Mr. President: February 6, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 226**, REGISTRATION AND TITLE PROVISIONS, by Senator D. Eastman, with the following amendments:

1. Page 2, Line 38:

38 {~~None~~} This bill takes effect on July 1, 2006.

2. Page 6, Line 165:

165 dealer is not liable for the registration fee or penalty.

Section 7. Effective date.

This bill takes effect on July 1, 2006.; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 46**, ENERGY POLICY AMENDMENTS, by Representative R. Barrus; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 49**, DEPARTMENT OF TECHNOLOGY SERVICES PERSONNEL TRANSFER − SUPPLEMENTAL APPROPRIATION, by Representative D. Clark; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 50**, UTAH TECHNOLOGY INDUSTRY COUNCIL REVISIONS, by Representative D. Litvack.

Sheldon L. Killpack, Chair

Mr. President: February 6, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 207**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 56**, SEX OFFENDER REGISTRATION AMENDMENTS, by Representative M. S. Lawrence; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 60**, CONTROLLED SUBSTANCE AMENDMENTS, by Representative C. Oda; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 63**, PROBATE CODE AMENDMENTS REGARDING HOMICIDE, by Representative K. Morgan; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 70**, STATUTE OF LIMITATIONS ON BODILY INJURY, by Representative C. Oda; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 208**, AGGRAVATED MURDER AMENDMENT, by Representative S. Wyatt; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 212**, DNA DATABASE AMENDMENTS, by Representative J. S. Adams; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 219**, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION, by Representative E. Hutchings.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 160,** as amended, **S.B. 213,** as amended, **H.B. 38, S.B. 226,** as amended, **1st Sub. H.B. 46, 1st Sub. H.B. 49, H.B. 50, S.B. 207, H.B. 56, H.B. 60, H.B. 63, H.B. 70, H.B. 208, H.B. 212,** and **1st Sub. H.B. 219** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 6, 2006

The Transportation and Public Utilities and Technology Committee recommends **S.B. 183**, UTAH EMERGENCY MEDICAL SERVICES ACT AMENDMENTS, by Senator D. Eastman, be replaced and favorably recommends **1st Sub. S.B. 183,** UTAH EMERGENCY MEDICAL SERVICES ACT AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar.

Sheldon L. Killpack, Chair

On motion of Senator Knudson, the committee report was adopted. **1st Sub. S.B. 183** was considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 193, **Speed Contest or Exhibition Amendments** (K. Hale), read the first time by short title and referred to the Rules Committee.

S.B. 202, **Use of Oil and Gas Tax Revenues** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 210, **Eminent Domain Changes** (S. Jenkins), read the first time by short title and referred to the Rules Committee.

S.B. 220, **Tie Bids − Preference for In−state Commodities** (D. Peterson), read the first time by short title and referred to the Rules Committee.

S.B. 225, **Payment of Tax or Bonding in Tax Cases** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 232, **Amendments to Pete Suazo Athlete Commission** (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.B. 246, **County Director of Personnel Management Amendments** (T. Hatch), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

2nd Sub. S.B. 71, CONSUMER CREDIT PROTECTION, was read the third time and explained by Senator Walker.

Senator Walker proposed the following amendment:

1. Page 4, Line 115:
   After "consumer" delete "reporting agency"

2. Page 5, Line 130:
   Delete "reporting agency"

3. Page 6, Lines 158 and 159:
   Delete lines 158 and 159

4. Page 6, Line 162:
   Delete line 162

Senator Walker's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Killpack

2nd Sub. S.B. 71, as amended, was transmitted to the House for consideration.

* * *

S.B. 54, REVENUE FLOW FROM SPEEDING VIOLATIONS, was read the third time.

On motion of Senator Hickman, the bill was circled.

* * *

1st Sub. S.B. 113, GOVERNMENTAL IMMUNITY LIMITS, was read the third time and explained by Senator Stephenson. Senator Thomas commented. Senators Thomas, Hillyard, and Valentine declared conflicts of interest and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

1st Sub. S.B. 113 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Walker, the circle was removed from **1st Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, and it was before the Senate. Senator Walker explained the bill.

On motion of Senator Walker, the bill was circled.

* * *

S.B. 98, SAFETY BELT ENFORCEMENT, was read the second time. Senator Hale explained the bill. Senators Christensen, McCoy, Hatch, Waddoups, and Arent commented. The bill passed second reading on the following roll call:

Yeas, 16; Nays, 10; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Eastman
Fife	Goodfellow	Hale	Hellewell
Hillyard	Killpack	Knudson	Mayne
McCoy	Thomas	Walker	Valentine

Voting in the negative were: Senators

Bramble	Christensen	Dmitrich	Evans
Hatch	Jenkins	Madsen	Peterson
Stephenson	Waddoups		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

* * *

S.B. 106, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT, was read the second time. Senator Hillyard explained the bill. Senator Bell commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

On motion of Senator Madsen, the circle was removed from **1st Sub. S.B. 72**, HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS, and it was before the Senate. Senator Madsen explained the bill. Senators Hillyard, McCoy, Hale, Thomas, and Arent commented. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	McCoy	

Absent or not voting was: Senator
Buttars

* * *

On motion of Senator Mansell, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Mansell, the circle was removed from **1st Sub. S.B. 75**, U STAR INITIATIVE, and it was before the Senate. Senator Mansell explained the bill. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

1st Sub. S.B. 75 was transmitted to the House for consideration.

COMMITTEE OF THE WHOLE

On motion of Senator Hickman, former Senator David Watson spoke in Committee of the Whole reporting on the flood−relief efforts in Southern Utah.

On motion of Senator Hickman, the Committee of the Whole was dissolved.

* * *

On motion of Senator Walker, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Walker, the circle was removed from **1st Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, and it was before the Senate. Senator Walker explained the bill.

Senator Walker proposed the following amendment:

1. Page 2, Line 50 through Page 3, Line 64

50 (3) (a) "Personal information" means {~~:~~ }

51 {~~(a)~~ } a person's name {~~, address, or telephone number~~ −} combined with {~~the person's~~ } one or more of the following data elements relating to that person if the name or data element is unencrypted :

52 (i) Social Security number;

53 (ii) (A) financial account, or credit or debit card, number; and

54 (B) any required security code, access code, or password that would permit access to

55 the person's account;

56 (iii) driver license number or other {~~government−issued~~ } comparable identification number;

57 (iv) consumer report;

58 (v) employee number;

59 (vi) faculty or student identification number;

60 (vii) United States Armed Forces serial number; or

61 (viii) genetic or biometric information {~~; or~~ } .

62 (b) "Personal information" includes any of the information listed in Subsections (3)(a)(i) through (viii) without the

63 person's name {~~, address, or telephone number~~} if the information is sufficient to allow a person

64 to obtain money, credit, or services through unauthorized use of the information.

(c)"Personal information" does not include information, regardless of its source, contained in federal, state, or local government records or in widely distributed media that are lawfully made available to the general public.

2. Page 3, Line 85 through Page 5, Line 125:

85 13−42−202. Personal information −− Disclosure of system security breach.

86 {~~(1) (a) A person possessing personal information shall, upon becoming aware of a~~

87 ~~breach of system security, conduct in good faith a reasonable and prompt investigation to~~

88 ~~determine the likelihood that personal information has been or will be misused.~~

89 ~~(b) If the investigation determines that the misuse of information about the resident of~~

90 ~~the state occurs or is highly likely to occur, the person shall disclose the breach to the resident.~~

91 ~~(2) If a person is required to notify more than 10,000 residents of this state of a breach~~

92 ~~of system security under this section, the person shall also notify any consumer reporting~~

93 ~~agency, as defined in 15 U.S.C. Section 1681a, that does business on a nationwide basis of the~~

94 ~~circumstances surrounding the required notification, including:~~

95 ~~(a) when the notification is made;~~

96 ~~(b) to whom the notification is made; and~~

97 ~~(c) the extent of the breach of system security.~~

98 ~~(3) (a) A person required to provide notification under Subsection (1) shall provide the~~

99 ~~notification as soon as possible after determining the scope of the breach of system security and~~

100 ~~restoring the integrity of the personal information in the person's possession.~~

101 ~~(b) (i) Notwithstanding Subsection (3)(a), a person may delay providing a notification~~

102 ~~required by Subsection (1) at the request of a law enforcement agency that determines that~~

103 ~~notification could impede a criminal investigation.~~

104 ~~(ii) A person who delays providing n~~**~~otification under~~** ~~Subsection (3)(b)(i) shall provide~~

105 ~~notice immediately after the law enforcement agency informs the person that notification will~~

106 ~~no longer impede the criminal investigation.~~ }

(1)(a) A person who owns or licenses computerized data that includes personal information about a Utah resident shall, when the person becomes aware of a breach of system security, conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused.

(b) If an investigation under Subsection (1)(a) reveals that the misuse of personal information has occurred, or is highly likely to occur, the person shall provide notification to each affected Utah resident as soon as possible.

(2) A person required to provide notification under Subsection (1) shall provide the notification as soon as possible:

(a) considering legitimate investigative needs of law enforcement;

(b) after determining the scope of the breach of system security; and

(c) after restoring the integrity of the system.

(3)(a) A person who maintains computerized data that includes personal information that the person does not own or license shall notify and cooperate with the owner or licensee of the information of any breach of system security immediately following the person's discovery of the breach if misuse of the personal information occurs or is highly likely to occur.

(b) Cooperation under Subsection (3)(a) includes sharing information relevant to the breach with the owner or licensee of the information.

(4)(a) Notwithstanding Subsection (2), a person may delay providing notification under Subsection (1) at the request of a law enforcement

agency that determines that notification may impede a criminal investigation.
(b) A person who delays providing notification under Subsection (4)(a) shall provide notification in good faith without unreasonable delay as soon as possible after the law enforcement agency informs the person that notification will no longer impede the criminal investigation.

107 {~~(4)~~} (5) (a) A notification required by this section may be provided:

108 (i) in writing by first−class mail; or

109 (ii) electronically, if provided in accordance with the consumer disclosure provisions of

110 15 U.S.C. Section 7001.

111 (b) Notwithstanding Subsection {~~(4)~~} (5) (a), if the cost of providing notification will exceed

112 $150,000, the number of affected persons exceeds 100,000, or the person does not have

113 sufficient contact information for affected persons, the notice may be provided by:

114 (i) electronic mail, if the person has an electronic mail address for the affected person;

115 (ii) conspicuous posting on the person's Internet website; or

116 (iii) publishing and broadcasting notice in major, statewide media.

117 {~~(c) If a person possessing personal information maintains notification procedures~~

118 ~~substantially similar to those required by this section, that person need not provide the~~

119 ~~notification required by this section if the notification is nevertheless provided within the time~~

120 ~~period prescribed in this section.~~

121 ~~(d) A person possessing personal information who is required by federal law to~~

122 ~~maintain procedures for a breach of system security is considered to be in compliance with this~~

123 ~~chapter if the person notifies state residents of a breach of system security in accordance with~~

124 ~~the federal procedures.~~ } (c) If a person maintains the person's own notification procedures as part of an information security policy for the treatment of personal information is considered to be in compliance with this chapter's notification requirements if the procedures are otherwise consistent with this chapter's timing requirements and the person notifies each affected Utah resident in accordance with the person's information security policy in the event of a breach.

(d) A person who is regulated by state or federal law and maintains procedures for a breach of system security under applicable law established by the primary state or federal regulator is considered to be in compliance with this part if the person notifies each affected Utah resident in accordance with the other applicable law in the event of a breach.

125 {~~(5)~~ } (6) A waiver of this section is contrary to public policy and is void and unenforceable.

Senator Walker's motion to amend passed on a voice vote. Senator Hillyard commented.

On motion of Senator Walker, the bill was circled.

* * *

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 2006

The Speaker of the House has signed **1st Sub. S.B. 13**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Senator S. Killpack, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 47**, RESTORATION OF VOTING RIGHTS AMENDMENTS, by Senator B. Goodfellow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 13 and **1st Sub. S.B. 47**, were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 7, 2006

The House concurred in the Senate amendments and passed **H.B. 43**, SUNSET REVIEW AND REAUTHORIZATIONS, by Representative J. Alexander, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 43, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

* * *

Mr. President: February 7, 2006

The House passed **H.B. 89**, ADOPTION AND VITAL STATISTICS AMENDMENTS, by Representative K. Holdaway, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 225**, POST RETIREMENT EMPLOYMENT, by Representative G. Donnelson, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 227**, UNDERAGE TATTOOING PENALTY AMENDMENT, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.B. 238**, AUTHORIZING TEMPORARY ROAD CLOSURES, by Representative M. Noel, et al, and it is transmitted for consideration; and

The House passed **H.B. 249**, JUVENILE COURT JUDGE, by Representative D. Hogue, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 254**, CHILD CARE LICENSING RESTRICTIONS, by Representative M. S. Lawrence, and it is transmitted for consideration; and

The House passed **H.B. 260**, STATE OFFICE OF REHABILITATION − BUDGET RECOMMENDATIONS, by Representative B. Last, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 263**, CHILD CARE REVISIONS, by Representative D. G. Buxton, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 264**, ACCEPTANCE OF R.S. 2477 RIGHTS−OF−WAY AMENDMENTS, by Representative M. Noel, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 287**, WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS, by Representative C. Buttars, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 346**, STATE EMPLOYEE RETIREMENT BENEFITS AMENDMENTS, by Representative J. Dougall, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 7**, RESOLUTION OPPOSING UNITED STATES SUPREME COURT'S PORNOGRAPHY DECISION, by Representative R. Bigelow, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 89, H.B. 225, H.B. 227, H.B. 238, H.B. 249, 1st Sub. H.B. 254, H.B. 260, H.B. 263,H.B. 264, H.B. 287, H.B. 346,** and **H.J.R. 7** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 7, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives R. Bigelow, D. Clark, and N. Hansen to meet with a like committee from the Senate to consider or amend **1st Sub. H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow, et al.

Sandy D. Tenney, Chief Clerk

Communications filed.

President Valentine assigned a like committee from the Senate consisting of Senators Hillyard, Hickman, and Davis to meet with the House committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 7, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

H.B. 242 Motorboat Liability Insurance Amendments
(Rep. K. Gibson)

Education Committee

H.B. 226	Kindergarten Readiness (Rep. L. Shurtliff)

Government Operations/Political Subdivisions Committee

S.B. 220	Tie Bids − Preference for In−state Commodities (Sen. D. Peterson)
H.B. 152	Navajo Trust Fund Amendments (Rep. B. King)

Judiciary, Law Enforcement, and Criminal Justice Committee

H.B. 83	Driver License Privilege Suspension for Failure to Pay Child Support (Rep. Julie Fisher)

Revenue and Taxation Committee

S.B. 210	Eminent Domain Changes (Sen. S. Jenkins)
S.B. 225	Payment of Tax or Bonding in Tax Cases (Sen. H. Stephenson)
H.B. 256	Requirement of Property Tax Increase Advertisement (Rep. G. Hughes)

Transportation/Public Utilities/Technology Committee

S.B. 193	Speed Contest or Exhibition Amendments (Sen. K. Hale)

Workforce Services and Community and Economic Development Committee

S.B. 202	Use of Oil and Gas Tax Revenues (Sen. L. Hillyard)
S.B. 232	Amendments to Pete Suazo Athlete Commission (Sen. E. Mayne)
S.B. 246	County Director of Personnel Management Amendments (Sen. T. Hatch)
H.B. 39	Utah International Trade Commission (Rep. S. Allen)
H.B. 40	Expenditures for Tourism, Recreation, Cultural, and Convention Facilities and Activities (Rep. J. S. Adams)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

On motion of Senator Waddoups, **S.B. 267** was lifted from the Government Operations and Political Subdivisions Standing Committee and referred to the Business and Labor Standing Committee.

SECOND READING CALENDAR

On motion of Senator Walker, the circle was removed from **1st Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, and it was before the Senate. Senator Walker explained the bill.

Senator Hillyard proposed the following amendment:

Senate Floor Amendments
February 7, 2006

1. Page 2, Line 106 (1)(b):
   Delete "highly" and insert "reasonably"

2. Page 2, Line 106 (3)(a):
   Delete "highly" and insert "reasonably"

Senator Hillyard's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Killpack
Thomas			

* * *

1st Sub. S.B. 122, REPEAL OF LIBEL PROVISIONS, was read the second time. Senator McCoy explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow

Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Hale
Hickman	Thomas		

* * *

S.B. 134, LIEN DURATION OF A FOREIGN JUDGMENT, was read the second time. Senator Hatch explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Killpack
Thomas			

* * *

S.B. 148, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, was read the second time. Senator Bell explained the bill.

Senator Bell proposed the following amendment:

1. Page 2, Lines 45 through 47a
   Senate Committee Amendments
   1−30−2006

45 Ŝ➔ [~~(b)~~] (a) ←Ŝ Discovery concerning a party's wealth or financial condition may only be

45a allowed

46 after the party seeking punitive damages has established a prima facie case on the record that an award of

47 punitive damages is reasonably Ŝ➔ [~~probable~~] {~~likely~~} possible ←Ŝ against the party about whom discovery is

47a sought and, if disputed, the court is satisfied that the discovery is not sought for the purpose of harassment .

Senator Bell's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Eastman	Killpack	Thomas

* * *

1st Sub. S.B. 150, RESTITUTION AMENDMENTS, was read the second time.

On motion of Senator Bell, the bill was circled.

* * *

S.B. 159, DISTRICT COURT JUDGE, was read the second time. Senator Madsen explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Thomas

* * *

S.B. 163, STATEMENT UNDER PENALTY OF PERJURY, was read the second time.

On motion of Senator McCoy, the following substitute bill replaced the original bill:

1st Sub. S.B. 163, Statement Under Penalty of Perjury (S. McCoy)

Senator McCoy explained the bill.

On motion of Senator McCoy, the bill was circled.

* * *

S.B. 171, JUDICIARY AMENDMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Thomas

* * *

On motion of Senator Bell, the circle was removed from **1st Sub. S.B. 150**, RESTITUTION AMENDMENTS, and it was before the Senate. Senator Bell explained the bill.

Senator Bell proposed the following amendment:

1. Page 1, Lines 11 through 14

11 Highlighted Provisions:

12 This bill:

▶ requires the full amount of court ordered restitution be paid:
• before a person can be eligible for an expungement, and
• before a court can enter a conviction to the next lower degree of a criminal offense; and

13 ▶ requires a petitioner to pay the full amount of restitution ordered by a court for the

14 criminal conviction for which the person in seeking an expungement.

2. Page 2, Lines 47 through 50
Senate Committee Amendments
1−30−2006:

47 granted an expungement of his record as provided by law.

48 (5) {~~A judgment for a conviction under~~ Ŝ➔ ~~[Subsection (2)(b)]~~ ~~this section~~ ←Ŝ ~~may not be~~

48a ~~entered if there~~

49 ~~remains any unpaid balance on court ordered restitution for that particular offense entered~~

50 ~~pursuant to Section 77−38a−302.~~ } Judgment for a conviction for a lower degree of offense may not be entered if there remains any unpaid balance on court ordered restitution for the offense for which the reduction is sought.

Senator Bell's motion to amend passed on a voice vote. Senator Hillyard commented. The bill second reading passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Christensen	Eastman	Hickman
Thomas			

* * *

S.B. 68, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, was read the second time. Senator Hellewell explained the bill.

Senator Hellewell proposed the following amendment:

1. Page 4, Lines 100 through 102
   Senate Committee Amendments
   1−30−2006

   100 (B) a licensed plumbing apprentice in the fourth , fifth, and sixth year of training may work without

   101 supervision for a period not to exceed eight hours in any 24−hour period , but if the apprentice does not become a licensed journeyman plumber or a licensed residential journeyman plumber by the end of the sixth year, then this nonsupervision provision no longer applies ; and

   102 (ii) on a residential project Ŝ➔ [÷

Senator Hellewell's motion to amend passed on a voice vote. Senators Mayne and Jenkins commented. Senator Jenkins declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

1st Sub. S.B. 114, PRODUCER AND AFFILIATE DISCLOSURE AMENDMENTS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Jenkins

* * *

S.B. 116, DEPARTMENT OF FINANCIAL INSTITUTION'S FEES, was read the second time. Senator Hillyard explained the bill. Senators Hickman and Waddoups commented. Senators Hickman and Valentine declared conflicts of interest. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

S.B. 162, DEPARTMENT OF FINANCIAL INSTITUTIONS ENFORCEMENT OF APPLICABLE LAW, was read the second time. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 4, Lines 99 through 100

99 (iii) Bank Secrecy Act, 12 U.S.C. Sec. 1829b, 12 U.S.C. Sec. 1951 through 1959, and

100 31 U.S.C. Sec. 5311 through 5332 , and its implementing regulations ; and

2. Page 6, Lines 174 through 175:

174 (iii) Bank Secrecy Act, 12 U.S.C. Sec. 1829b, 12 U.S.C. Sec. 1951 through 1959, and

175 31 U.S.C. Sec. 5311 through 5332 , and its implementing regulations ; and

3. Page 8, Line 218 through Page 9, Line 259:

218 (1) [~~If the~~] (a) The department may take an action described in Subsection (1)(b) if the

219 department determines that any {~~[~~} party {~~]~~} {~~person~~ } engaging in activities subject to this title is

220 violating or has violated or the department has reasonable cause to believe is about to violate:

221 (i) any applicable provision of this title[~~, or~~];

222 (ii) any rule[~~, regulation,~~] or order[~~, or~~] under this title;

223 (iii) any condition imposed in writing in connection with the granting of any

224 application or other request by the {~~[~~} party {~~,~~} {~~]~~} {~~person~~ } ; or

225 (iv) any federal statute[~~, rule,~~] or regulation pertaining to consumer credit[~~, the~~] in

226 effect at the time of the determination described in Subsection (1)(a).

227 (b) If the department makes a determination described in Subsection (1)(a), the

228 department may:

229 **(i)** order the party to cease and desist from committing any further violations[~~,~~]; and

230 **(ii)** in the most serious instances [~~**may**~~] , prohibit a party from making further extensions

231 of credit to consumers.

232 (c) The department shall by rule, made in accordance with Title 63, Chapter 46a, Utah

233 Administrative Rulemaking Act, and consistent with this chapter, designate which one or more

234 federal statutes or regulations are federal statutes or regulations pertaining to consumer credit

235 for purposes of this Subsection (1).

236 (2) The department shall afford an opportunity for hearing upon request of any [~~party~~

237 ~~alleged to have violated this title~~] {~~person~~} party described in Subsection (1)(a) if the request is filed

238 with the department within 30 days after the {~~[~~} party {~~]~~} {~~person~~} requesting the hearing first receives

239 notice of the allegations.

240 (3) (a) If the department determines that a practice [~~which~~] that it has alleged is

241 unlawful should be enjoined during the pendency of any proceedings incident to that allegation,

242 [~~it~~] the department may issue a temporary order:

243 (i) at the commencement of the proceedings; or

244 (ii) at any time [~~thereafter which shall be~~] after commencement of the proceeding.

245 (b) The temporary order described in this Subsection (3) is fully binding on the {~~[~~} party {~~]~~}

246 {~~person~~} to whom the temporary order is directed until:

247 (i) the proceedings are concluded; or

248 (ii) the temporary order is modified or dissolved by the department.

249 (c) Any {~~[~~} party {~~]~~} {~~person~~} to whom a temporary order is directed may request a hearing

250 concerning the order, which shall be held:

251 (i) at the earliest mutually convenient time, but in no event more than ten days, after

252 the {~~[~~} party's {~~]~~} {~~person's~~ } request is received by the department; or

253 (ii) at any other time the parties may mutually agree upon.

254 (d) Every temporary order shall include findings and conclusions in support of [~~it~~] the

255 order. [~~No~~]

256 (e) A temporary order may not be issued unless the department finds from specific

257 facts supported by sworn statement or the records of a {~~[~~} party {~~]~~} {~~person~~ } subject to the order that

258 consumers are otherwise likely to suffer immediate and irreparable injury, loss, or damage

259 before proceedings, incident to a final order, can be completed.

Senator Hillyard's motion to amend passed on a voice vote. Senators Hickman and Valentine declared conflicts of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Killpack

* * *

S.B. 169, SALES AND USE TAX − DENTAL PROSTHESES, was read the second time. Senator Knudson explained the bill. Senator Goodfellow commented. Senator Knudson declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Killpack

* * *

1st Sub. S.B. 156, LEGISLATIVE DIRECTION RELATING TO UNITED STATES SENATORS, was read the second time. Senator Stephenson explained the bill. Senators Christensen commented. The bill passed second reading on the following roll call:

Yeas, 17; Nays, 9; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Eastman	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Voting in the negative were: Senators

Arent	Christensen	Davis	Dmitrich
Evans	Fife	Hale	McCoy
Walker			

Absent or not voting were: Senators

Buttars	Goodfellow	Hillyard

* * *

S.B. 189, CONSTITUTIONAL REVISION COMMISSION AMENDMENTS, was read the second time. Senator Knudson explained the bill. Senators McCoy, Arent, Valentine, Waddoups, Dmitrich, Thomas, and Bramble commented.

Senator Arent proposed the following amendment:

1. Page 4, Line 112:
   After "governor," delete "president" and insert "a member" and after "of the Senate" delete "speaker" and insert "a member"

2. Page 4, Line 113:
   After "Representatives," delete "minority leader of the House, or the legislative sponsor of a resolution to amend the Utah Constitution,"

Senator Arent's motion to amend failed on a voice vote.

# # #

Senator Arent proposed the following amendment:

1. Page 4, Line 116:
   After "may" delete "not"

Senator Arent's motion to amend failed on a voice vote.

# # #

Senator Arent proposed the following amendment:

4. Page 6, Lines 154 to 156:
   Reinstate the language on lines 154 to 156

Senator Arent's motion to amend failed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Evans	Hale	McCoy
Peterson			

Absent or not voting was: Senator
Buttars

* * *

S.B. 182, DIRECT SALES AMENDMENTS, was read the second time.

On motion of Senator Madsen, the bill was circled.

* * *

S.B. 180, MOTOR VEHICLE LEASE AGREEMENTS, was read the second time. Senator Madsen explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

1st Sub. S.B. 128, REVOLVING CREDIT LINE TRUST DEED, was read the second time. Senator Hatch explained the bill. Senator Hickman declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Walker	Valentine	

Absent or not voting were: Senators
Buttars Waddoups

* * *

1st Sub. S.B. 145, REGULATION OF DIRECT PATHOLOGY BILLING, was read the second time.

On motion of Senator Bell, the bill was circled.

* * *

S.B. 157, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Jenkins

* * *

S.B. 187, SCIENCE AND TECHNOLOGY EDUCATION PROGRAM, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

S.R. 2, RESOLUTION ENCOURAGING UTAH SCHOOLS TO EDUCATE CHILDREN REGARDING RISKS OF SUN EXPOSURE, was read the second time. Senator Arent explained the bill. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Fife	Goodfellow
Hale	Hatch	Hellewell	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Buttars	Eastman	Evans	Hickman
Hillyard	Jenkins	Mansell	Stephenson
Waddoups			

* * *

S.B. 22, DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hillyard	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hale	Hickman	Jenkins
Mansell	Stephenson		

* * *

On motion of Senator Knudson, the circle was removed from **S.B. 187**, SCIENCE AND TECHNOLOGY EDUCATION PROGRAM, and it was before the Senate. Senator Knudson explained the bill. Senators Waddoups and Fife commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hale	Jenkins	Stephenson

* * *

On motion of Senator Madsen, the circle was removed from **S.B. 182**, DIRECT SALES AMENDMENTS, and it was before the Senate. Senator Madsen explained the bill. Senators Bramble, McCoy, and Waddoups commented. Senator Bramble declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Mayne	Stephenson

* * *

On motion of Senator Knudson and at 5:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 8, 2006.

FEBRUARY 8, 2006

TWENTY−FOURTH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Bishop George H. Niederauer, Catholic Diocese of Salt Lake City
Pledge of Allegiance − Senator Curt Bramble
Roll Call − All Senators present except Senator Buttars, excused.

PRAYER BY BISHOP NIEDERAUER

Let us pray. Our loving Father in Heaven. Your holy spirit placed these words on the lips of the Psalmist, "Put not your trust in princes, in man in whom there is no salvation. Happy is he whose hope is in the Lord his God who made heaven and earth, the sea and all that is in them. Who secures justice for the oppressed, gives food to the hungry. The Lord raises up those that are bowed down. The Lord loves the just. The Lord protects strangers. The fatherless and the widow He sustains, but the way of the wicked He thwarts."

Father, help us to take these words to heart and to live by them. Send forth your spirit upon our legislators and all of those in roles of leadership. Guide us so that we will seek to be agents of your justice, your compassion, and your wisdom. May we serve you by serving our sisters and brothers. We pray this through Jesus Christ, your Son, our Savior and our Lord. Amen.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

TIME CERTAIN

A citation was read honoring Bishop George H. Niederauer of the Salt Lake Catholic Diocese.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Bishop Niederauer spoke in Committee of the Whole. Senator Hale commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

On motion of Senator McCoy the words of Bishop Niederauer's prayer are spread upon the pages of the Senate Journal.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 2006

The House passed, as substituted, **1st Sub. H.B. 72**, WORKERS' COMPENSATION FOR THE STATE, by Representative G. Snow, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 74**, ATHLETIC TRAINER LICENSING ACT, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 80**, ENERGY SAVINGS IN STATE BUILDINGS, by Representative F. Hunsaker, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 103**, CHANGES TO DEFINITIONS OF A CHILD AND A MINOR, by Representative W. Harper, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 123**, DISASTER RESPONSE AND RECOVERY ACT, by Representative J. S. Adams, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 221**, AMBULANCE AND PARAMEDIC FEE AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 283**, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, by Representative P. Painter, and it is transmitted for consideration; and

The House passed **H.B. 285**, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, by Representative K. Holdaway, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 289**, UTAH EDUCATION NETWORK AMENDMENTS, by Representative K. Holdaway, and it is transmitted for consideration; and

The House passed **H.J.R. 8**, RESOLUTION REVISING EXECUTIVE OFFICER SUCCESSION PROVISIONS, by Representative S. Allen, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 72, H.B. 74, H.B. 80, H.B. 103, H.B. 123, H.B. 221, 1st Sub. H.B. 283, H.B. 285, H.B. 289,** and **H.J.R. 8** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 7, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 60**, WESTERN STATES PRESIDENTIAL PRIMARY, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 85**, STATE−OWNED ART COLLECTIONS INVENTORY PROGRAM, by Senator B. Evans, be replaced and favorably recommends **1st Sub. S.B. 85,** STATE−OWNED ART COLLECTIONS INVENTORY STUDY PROGRAM; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 178**, STATE EXECUTIVE COMPENSATION − DEPARTMENT OF HEALTH, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 200**, VOTER REGISTRATION − PROOF OF CITIZENSHIP, by Senator M. Madsen; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 214**, OFFICE OF STATE DEBT COLLECTION AMENDMENTS, by Senator P. Knudson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 229**, CIVIL SERVICE COMMISSIONS, by Senator S. Jenkins; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 41**, PRESERVATION OF AND ACCESS TO STATE PUBLICATIONS, by Representative M. Noel, et al; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 207**, INHERENT RISKS OF

PARTICIPATING IN RECREATIONAL ACTIVITIES ON PROPERTY OWNED BY LOCAL GOVERNMENT, by Representative D. Bowman.

Parley G. Hellewell, Chair

Mr. President: February 7, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 179**, AMENDMENTS TO SALES AND USE TAX EXEMPTIONS FOR CERTAIN VEHICLES, BOATS, BOAT TRAILERS, AND OUTBOARD MOTORS, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 198**, PROPERTY TAX − INTANGIBLE PROPERTY, by Senator C. Bramble; and

The Revenue and Taxation Committee recommends **S.B. 206**, CHILD PROTECTION REGISTRY AMENDMENTS, by Senator M. Dmitrich, be replaced and favorably recommends **1st Sub. S.B. 206,** CHILD PROTECTION REGISTRY AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 86**, PROPERTY TAX − REFUNDING TAX PREPAYMENTS, by Representative F. Hunsaker, with the following amendments:

1. Page 3, Line 62:
   After "body" delete "may" and insert "shall"

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 60, 1st Sub. S.B. 85, S.B. 178, S.B. 200, S.B. 214, S.B. 229, H.B. 41, H.B. 207, S.B. 179, S.B. 198, 1st Sub. S.B. 206,** and **H.B. 86,** as amended, were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 7, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 210**, COUNTY ORDINANCE

AMENDMENTS, by Representative L. Wiley, and recommends it be considered read for the second time and placed on the Consent Calendar.

Parley G. Hellewell, Chair

Mr. President: February 7, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **H.J.R. 2**, RESOLUTION URGING CONGRESSIONAL ACTION ON THE TAX DEDUCTIBILITY OF MEDICAL EXPENSES BY INDIVIDUALS, by Representative E. Hutchings, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 261**, PROPERTY TAX REVISIONS, by Representative M. Newbold, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 265**, DUE DATE FOR FILING ELECTRONICALLY FILED WITHHOLDING RETURNS, by Representative M. Newbold, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 210, H.J.R. 2, H.B. 261,** and **H.B. 265** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 212, **Veteran Survivor and Dependent Higher Education Benefit** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 215, **Electronic Waste Task Force and Moratorium on Electronic Waste Disposal** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 242, **Tax Revisions** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 258, **Revenue Bonds − Auditing of Leases** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 268, **Property Rights Ombudsman** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 98, SAFETY BELT ENFORCEMENT AMENDMENTS, was read the third time, explained by Senator Hale, and passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Eastman
Fife	Goodfellow	Hale	Hellewell
Hillyard	Knudson	Mayne	McCoy
Thomas	Walker	Valentine	

Voting in the negative were: Senators

Christensen	Dmitrich	Evans	Hatch
Jenkins	Killpack	Madsen	Mansell
Peterson	Waddoups		

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Stephenson

S.B. 98 was transmitted to the House for consideration.

* * *

S.B. 106, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT, was read the third time and explained by Senator Hillyard.

Senator Hillyard proposed the following amendment:

1. Page 1, Lines 23 through 24

23 ► describes the circumstances under which a foreign protection order is valid and

24 enforceable in Utah;

► <u>specifies which court will have jurisdiction to enforce foreign protection orders under this bill;</u>

1. Page 9, Lines 262 through 266:

262 <u>(7) A tribunal of this state may enforce provisions of a mutual foreign protection order</u>

263 <u>which favor a respondent only if:</u>

264 (a) the respondent filed a written pleading seeking a protection order from the tribunal

265 of the issuing state; and

266 (b) the tribunal of the issuing state made specific findings in favor of the respondent.

(8) (a) The juvenile court has jurisdiction to enforce foreign protection orders under this section over which the juvenile court would have had jurisdiction if the order had been originally sought in this state.

(b) The district court has jurisdiction to enforce foreign protection orders under this section:

(i) over which the district court would have had jurisdiction if the order had been originally sought in this state; or

(ii) that are not under the jurisdiction of the juvenile court under Subsection (8)(a).

Senator Hillyard's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hellewell	Stephenson

S.B. 106, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 61**, UNIFORM MEDIATION ACT, and it was before the Senate. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 2, Line 57

57 (4) "Mediator" means an individual who is neutral, and conducts a mediation.

2. Page 5, Line 133 through Page 6, Line 152:

133 78−31c−106. Exceptions to privilege.

134 (1) There is no privilege under Section 78−31c−104 for a mediation communication that

135 is:

* * * *Some lines not shown* * * *

149 (g) {– ~~sought or offered to prove or disprove abuse, neglect, abandonment, or exploitation~~

150 ~~in a proceeding in which a child or adult protective services agency is a party, unless the case is~~

151 ~~referred by a court to mediation and a public agency participates.~~ } subject to the reporting requirements in 62A−4a−403 or 62A−3−305

152 (2) There is no privilege under Section 78−31c−104 if a court, administrative agency, or

3. Page 7, Lines 202 through 206:

202 (3) At the request of a mediation party, an individual who is requested to serve as a

203 mediator shall disclose the mediator's qualifications to mediate a dispute.

204 (4) Subsections (1), (2), (3), and (6) do not apply to an individual acting as a judge or ombudsman .

205 (5) This chapter does not require that a mediator have a special qualification by

206 background or profession.

Senator Hillyard's motion to amend passed on a voice vote. Senator Thomas commented. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Stephenson

S.B. 61, as amended, was transmitted to the House for consideration.

* * *

1st Sub. S.B. 72, HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS, was read the third time and explained by Senator Madsen. Senator Hillyard commented. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Thomas	Walker	Valentine	

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	McCoy		

Absent or not voting were: Senators

Buttars	Hale	Stephenson	Waddoups

1st Sub. S.B. 72 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 69, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Walker		

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Hillyard
Stephenson	Waddoups	Valentine	

1st Sub. S.B. 69 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 122, REPEAL OF LIBEL PROVISIONS, was read the third time, explained by Senator McCoy, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas		

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Stephenson
Waddoups	Walker	Valentine	

1st Sub. S.B. 122 was transmitted to the House for consideration.

* * *

S.B. 134, LIEN DURATION OF A FOREIGN JUDGMENT, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Valentine	

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Stephenson
Waddoups	Walker		

S.B. 134 was transmitted to the House for consideration.

* * *

S.B. 148, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, was read the third time and explained by Senator Bell.

Senator Arent proposed the following amendment:

1. Page 2, Line 47:
   Senate 2nd Reading Amendments
   2−7−2006
   Delete "possible" and insert "likely"

Senator Arent's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Valentine		

Absent or not voting were: Senators

Buttars	Waddoups	Walker

S.B. 148, as amended, was transmitted to the House for consideration.

* * *

S.B. 159, DISTRICT COURT JUDGE, was read the third time, explained by Senator Madsen, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Valentine

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Waddoups
Walker			

S.B. 159 was transmitted to the House for consideration.

* * *

S.B. 171, JUDICIARY AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Valentine			

Absent or not voting were: Senators

Buttars	Hickman	Waddoups	Walker

S.B. 171 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 150, RESTITUTION AMENDMENTS, was read the third time and explained by Senator Bell. Senators Hillyard and Valentine commented.

On motion of Senator Bell, the bill was circled.

* * *

S.B. 68, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, was read the third time.

On motion of Senator Hellewell, the bill was circled.

* * *

1st Sub. S.B. 114, PRODUCER AND AFFILIATE DISCLOSURE AMENDMENTS, was read the third time and explained by Senator Evans.

Senator Evans proposed the following amendment:

1. Page 5, Line 149

149 section, a producer {~~or~~} , an affiliate of a producer or a consultant doing business with a state entity may not

2. Page 6, Lines 153 through 155:

153 insurer or third party may be received by the producer {~~or~~} , affiliate or consultant ; and

154 (ii) provides a description of {~~the method and factors used to calculate~~} the possible compensation

155 from an insurer or third party for that placement.

Senator Evans' motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Waddoups

1st Sub. S.B. 114, as amended, was transmitted to the House for consideration.

* * *

S.B. 116, DEPARTMENT OF FINANCIAL INSTITUTION'S FEES, was read the third time and explained by Senator Hillyard. Senators Valentine and Mansell declared conflicts of interest. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Killpack

S.B. 116 was transmitted to the House for consideration.

* * *

S.B. 162, DEPARTMENT OF FINANCIAL INSTITUTIONS ENFORCEMENT OF APPLICABLE LAW, was read the third time and explained by Senator Hillyard. Senator Valentine declared a conflict of interest. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator

Buttars

S.B. 162 was transmitted to the House for consideration.

* * *

S.B. 169, SALES AND USE TAX − DENTAL PROSTHESES, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard

S.B. 169 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 156, LEGISLATIVE DIRECTION RELATING TO UNITED STATES SENATORS, was read the third time and explained by Senator Stephenson. Senator Bramble commented and the bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Dmitrich	Eastman
Evans	Goodfellow	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Stephenson
Thomas	Waddoups	Valentine	

Voting in the negative were: Senators

Arent	Christensen	Davis	Fife
Hale	McCoy	Walker	

Absent or not voting were: Senators

Buttars	Hillyard	Peterson

1st Sub. S.B. 156 was transmitted to the House for consideration.

* * *

S.B. 189, CONSTITUTIONAL REVISION COMMISSION AMENDMENTS, was read the third time and explained by Senator Knudson. Senators Mayne, Dmitrich, McCoy, and Arent commented and the bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting were: Senators

Buttars	Hale

S.B. 189 was transmitted to the House for consideration.

* * *

S.B. 180, MOTOR VEHICLE LEASE AGREEMENTS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hale	Hillyard
Mayne			

S.B. 180 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 128, REVOLVING CREDIT LINE TRUST DEED, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hale	Killpack	Mansell
Mayne			

1st Sub. S.B. 128 was transmitted to the House for consideration.

* * *

S.B. 157, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hale	Killpack	Mansell
Mayne			

S.B. 157 was transmitted to the House for consideration.

* * *

S.R. 2, RESOLUTION ENCOURAGING UTAH SCHOOLS TO EDUCATE CHILDREN REGARDING RISKS OF SUN EXPOSURE, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 18; Nays, 5; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Knudson	Madsen	McCoy	Thomas
Walker	Valentine		

Voting in the negative were: Senators

Hickman	Hillyard	Jenkins	Peterson
Stephenson			

Absent or not voting were: Senators

Buttars	Eastman	Killpack	Mansell
Mayne	Waddoups		

S.R. 2 was sent to the staff for enrolling.

* * *

S.B. 22, DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hatch	Killpack	Mansell
Mayne			

S.B. 22 was transmitted to the House for consideration.

* * *

S.B. 187, SCIENCE AND TECHNOLOGY EDUCATION PROGRAM, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Goodfellow	Killpack	Mansell
Mayne			

S.B. 187 was transmitted to the House for consideration.

* * *

S.B. 182, DIRECT SALES AMENDMENTS, was read the third time and explained by Senator Madsen. Senator Waddoups, McCoy, Arent, and Bramble commented and the bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting were: Senators

Buttars	Goodfellow	Mansell

S.B. 182 was transmitted to the House for consideration.

SECOND READING CALENDAR

2nd Sub. H.B. 14, OPEN MEETINGS LAW AMENDMENTS, was read the second time.

On motion of Senator Stephenson, the bill was circled.

* * *

On motion of Senator Bramble, the circle was removed from **H.B. 25**, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, and it was before the Senate. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Mansell

* * *

H.B. 16, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, was read the second time. Senator Hellewell explained the bill. Senator Thomas commented. Senator Thomas declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mayne	McCoy	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Peterson

Absent or not voting were: Senators

Buttars	Evans	Madsen	Mansell
Stephenson			

JOINT CONFERENCE COMMITTEE REPORT

Mr. President: February 8, 2006

The Joint Conference Committee comprised of Sens. Hillyard, Hickman, and Davis, and Reps. Bigelow, D. Clark, and Hansen, recommends **1st Sub. H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow, be replaced and favorably recommends **2nd Sub. H.J.R. 3,** JOINT RULES RESOLUTION − BASE BUDGET PROCESS.

Senator Hillyard
and Representative Bigelow,
Chairs

On motion of Senator Hillyard the Senate voted to adopt the Conference Committee Report on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Evans	Madsen	Mansell
Stephenson			

2nd Sub. H.J.R. 3 was referred to the House for its further action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 8, 2006

The House passed, as amended, **H.B. 127**, LIMITED LIABILITY COMPANY AMENDMENTS, by Representative J. S. Adams, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 272**, INSURANCE LAW AMENDMENTS, by Representative T. Kiser, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 127** and **H.B. 272** were read the first time and referred to the Rules Committee.

*** * ***

On motion of Senator Knudson and at 12:10 p.m., the Senate adjourned until 10:00 a.m., Thursday, February 9, 2006.

FEBRUARY 9, 2006

TWENTY−FIFTH DAY

MORNING SESSION

The Senate was called to order at 10:20 a.m., with President John Valentine presiding.

Prayer − Senator Darin Peterson
Pledge of Allegiance − Senator Howard Stephenson
Roll Call − All Senators present except Senators Buttars and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 8, 2006

The House passed, **S.B. 28**, SALES AND USE TAX − EXEMPTION FOR ISOLATED OR OCCASIONAL SALES, by Senator L. Hillyard, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, by Senator M. Dmitrich, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 51**, DRIVING WITH A CONTROLLED SUBSTANCE IN THE BODY − AMENDMENTS, by Senator C. Walker, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 66**, PRICE CONTROLS DURING EMERGENCIES AMENDMENTS, by Senator P. Arent, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 109**, UNIFORM COMMERCIAL CODE − WAREHOUSE RECEIPTS, BILLS OF LADING, AND OTHER DOCUMENTS OF TITLE, by Senator L. Hillyard, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 112**, CENTERS OF EXCELLENCE AMENDMENTS, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 140**, UNLAWFUL OUTDOOR ADVERTISING AMENDMENTS, by Senator M. Waddoups, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 1**, RESOLUTION APPROVING REAPPOINTMENT OF DIRECTOR OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL, by Senator P. Knudson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 28, S.B. 36, S.B. 51, S.B. 66, S.B. 109, S.B. 112, S.B. 140, and **S.J.R. 1** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 8, 2006

The House passed, as amended, **S.B. 99**, COUNTY RECORDER AMENDMENTS, by Senator D. Thomas, et al, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 115**, CONTINUING EDUCATION IN INSURANCE, by Senator T. Hatch, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 8, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 268	Property Rights Ombudsman (Sen. L. A. Mansell)
H.B. 74	Athletic Trainer Licensing Act (Rep. P. Ray)
1st Sub. H.B. 254	Child Care Licensing Restrictions (Rep. M. S. Lawrence)

Education Committee

H.B. 119	Board of Regents Amendments (Rep. J. Alexander)

Government Operations/Political Subdivisions Committee

H.B. 123	Disaster Response and Recovery Act (Rep. J. S. Adams)
H.B. 260	State Office of Rehabilitation − Budget Recommendations (Rep. B. Last)
H.J.R. 7	Resolution Opposing United States Supreme Court's Pornography Decision (Rep. R. Bigelow)

Health and Human Services Committee

H.B. 237	Direct−entry Midwife Act − Repealers (Rep. J. Biskupski)
H.B. 263	Child Care Revisions (Rep. D. G. Buxton)

Judiciary, Law Enforcement, Criminal Justice Committee

H.B. 89	Adoption and Vital Statistics Amendments (Rep. K. Holdaway)
H.B. 227	Underage Tattooing Penalty Amendment (Rep. D. Ure)

Natural Resources, Agriculture, and Environment Committee

S.B. 215	Electronic Waste Task Force and Moratorium on Electronic Waste Disposal (Sen. S. McCoy)
H.B. 48	Water Company Amendments (Rep. D. Ure)
H.B. 264	Acceptance of R.S. 2477 Rights−of−Way Amendments (Rep. M. Noel)
H.B. 287	Wildlife Damage Compensation Act Amendments (Rep. C. Buttars)

Revenue and Taxation Committee

S.B. 242	Tax Revisions (Sen. C. Bramble)
S.B. 258	Revenue Bonds − Auditing of Leases (Sen. C. Bramble)

Transportation/Public Utilities/Technology Committee

H.B. 238	Authorizing Temporary Road Closures (Rep. M. Noel)
1st Sub. H.B. 283	Motor Vehicle Business Regulation Amendments (Rep. P. Painter)

Workforce Services and Community and Economic Development Committee

H.B. 8 Marriage Preparation Education (Rep. R. McGee)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 8, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 124**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, by Senator P. Knudson, with the following amendments:

1. Page 6, Lines 171 through 172:

171 (c) Judicial review of a final commission order concerning a disciplinary proceeding is

172 governed by Section 32A−1−120 and {~~not~~} Title 63, Chapter 46b, Administrative Procedures Act.

2. Page 12, Line 355 through Page 13, Line 388:

355 32A−1−120. Judicial review of disciplinary proceeding −− Stay of commission

356 order.

357 (1) (a) In a disciplinary proceeding, as defined in Section 32A−1−119, any [~~party~~]

358 respondent named in a final order of the commission may seek judicial review pursuant to {~~this~~

359 ~~section~~. } Title 63, Chapter 46b, Administrative Procedures Act, and Subsection (2).

360 [~~(2) (a) The findings of the commission on questions of fact are final and are not~~

361 ~~subject to review.~~]

362 [~~(b) "Questions of fact" include ultimate facts and findings and conclusions of the~~

363 ~~commission on reasonableness and discretion.~~]

364 [~~(3) After the hearing, the reviewing court shall enter judgment affirming or setting~~

365 ~~aside the order of the commission.~~]

{ ~~366 (b) Judicial review of a final commission order concerning a disciplinary proceeding is~~

367 ~~governed by this section and not Title 63, Chapter 46b, Administrative Procedures Act.~~

368 ~~(2) The reviewing court of a final order described in Subsection (1) shall:~~

369 ~~(a) review on the record the commission's final order for abuse of discretion; and~~

370 ~~(b) (i) affirm the commission's final order if the reviewing court finds that the~~

371 ~~commission did not abuse its discretion; or~~

372 ~~(ii) remand the case to the commission for the commission to correct an error if the~~

373 ~~reviewing court finds that the commission abused its discretion.~~

~~} 374~~ [~~(4)~~] { ~~(3)~~ } (2) (a) The fact that a petition is pending in a reviewing court does not stay or

375 suspend the operation of any final order of the commission that has not been stayed by the commission . Notwithstanding Title 63, Chapter 46a, Administrative Procedures Act, the stay or suspension of the operation of a final order of the commission is governed by this Subsection (2).

376 (b) [~~The~~] Subject to Subsections { ~~(3)~~ } (2) (c) and (d), the reviewing court may order that the

377 commission's final order be stayed or suspended during the appeal.

378 (c) Before issuing an order staying or suspending the commission's final order, the

379 reviewing court shall:

380 (i) give three days' notice to the parties; and

381 (ii) hold a hearing to receive argument and evidence on whether or not the

382 commission's final order should be stayed or suspended.

383 (d) If the reviewing court decides to stay or suspend the commission's final order, it

384 shall make a written finding that:

385 (i) great or irreparable damage would result to the petitioner absent the stay or

386 suspension;

387 (ii) specifies the nature of the damage; and

388 (iii) is based upon evidence submitted to the court and identified by reference. ; and

The Business and Labor Committee recommends **S.B. 161**, MECHANICS' LIEN AND PAYMENT AMENDMENTS, by Senator S. Jenkins, be replaced and favorably recommends **1st Sub. S.B. 161,** MECHANICS' LIEN AND PAYMENT AMENDMENTS; and

The Business and Labor Committee recommends **S.B. 176**, CONTACT LENS CONSUMER PROTECTION ACT, by Senator C. Bramble, be replaced and favorably recommends **1st Sub. S.B. 176,** CONTACT LENS CONSUMER PROTECTION ACT; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 191**, SERVICE CONTRACTS ACT AMENDMENTS, by Senator M. Waddoups; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 205**, REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE, by Senator T. Hatch; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 222**, OUTDOOR ADVERTISING − HEIGHT ADJUSTMENT OF SIGNS, by Senator P. Hellewell, with the following amendments:

1. Page 2, Lines 34 through 39:

34 and 17−27a−103 is obstructed due to a noise abatement or safety measure, grade change,

35 construction, directional sign, highway widening, or aesthetic improvement made by an agency

36 of this state {~~,~~} [~~directional sign, or widening~~] {~~[~~} along an interstate, federal aid primary highway

37 existing as of June 1, 1991, {~~or~~} national highway systems highway , or state highway {~~]~~} or by an improvement

38 created on real property subsequent to the department's disposal of the property under Section

39 72-5-111, the owner of the sign may:

Scott K Jenkins, Chair

Mr. President: February 8, 2006

The Health and Human Services Committee recommends **S.B. 86**, AMENDMENTS TO CHILD CARE, by Senator P. Hellewell, be replaced and favorably recommends **1st Sub. S.B. 86,** AMENDMENTS TO CHILD CARE; and

The Health and Human Services Committee recommends **1st Sub. H.B. 79**, PRESCRIPTION DRUG PURCHASING POOLS, by Representative B. Last, be replaced and favorably recommends **2nd Sub. H.B. 79,** PRESCRIPTION DRUG PURCHASING POOLS.

Allen M. Christensen, Chair

Mr. President: February 8, 2006

The Education Committee reports a favorable recommendation on **S.B. 204**, HIGH SCHOOL GRADUATION AMENDMENTS, by Senator M. Madsen, with the following amendments:

1. Page 3, Lines 59 through 60:

59 (1) A student enrolled in a high school in this state {~~may~~} shall receive , upon request of the student's parent or guardian, a diploma from the

60 high school in which the student is enrolled, and a student that attends a home school {~~may~~} shall, upon request of the student's parent or guardian,
; and

The Education Committee reports a favorable recommendation on **H.B. 81**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE, by Representative R. Menlove.

David L. Thomas, Chair

Mr. President: February 8, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 45**, BEAR RIVER DEVELOPMENT ACT, by Representative J. S. Adams.

Michael G. Waddoups, Chair

Mr. President: February 8, 2006

The Transportation and Public Utilities and Technology Committee recommends **S.B. 88**, DISCLOSURE OF DRIVER LICENSE RECORDS, by Senator M. Madsen, be replaced and favorably recommends **1st Sub. S.B. 88,** DISCLOSURE OF DRIVER LICENSE RECORDS; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 193**, SPEED CONTEST OR EXHIBITION AMENDMENTS, by Senator K. Hale; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 224**, MOTOR VEHICLE INSURANCE AMENDMENTS, by Senator S. Killpack, with the following amendments:

1. Page 14, Lines 413 through 414:

413 (iii) any allegations or claims asserting consequential damages or bad faith liability.

(m) The arbitrator or arbitration panel may not conduct arbitration on a class−wide or class−representative basis.

414 {~~(m)~~} (n) If the arbitrator or arbitration panel finds that the action was not brought, pursued,

2. Page 14, Line 417:

417 {~~(n)~~} (o) An arbitration award issued under this section shall be the final resolution of all

3. Page 14, Lines 423 through 424:

423 under Subsection (8) {~~(n)~~} (o) (ii)(A).

424 {~~(o)~~} (p) (i) Upon filing a complaint for a trial de novo under Subsection (8) {~~(n)~~} (o) , the claim

4. Page 14, Lines 428 through 430:

428 request a jury trial with a complaint requesting a trial de novo under Subsection (8) {~~(n)~~} (o) (ii)(A).

429 {~~(p)~~} (q) (i) If the claimant, as the moving party in a trial de novo requested under

430 Subsection (8) {~~(n)~~} (o) , does not obtain a verdict that is at least $5,000 and is at least 20% greater

5. Page 15, Line 433:

433 under Subsection (8) {~~(n)~~} (o) , does not obtain a verdict that is at least 20% less than the arbitration

6. Page 15, Line 435:

435 (iii) Except as provided in Subsection (8) {~~(p)~~} (q) (iv), the costs under this Subsection (8) {~~(p)~~} (q)

7. Page 15, Lines 439 through 441:

439 (iv) An award of costs under this Subsection (8) {~~(p)~~} (q) may not exceed $2,500.

440 {~~(q)~~} (r) For purposes of determining whether a party's verdict is greater or less than the

441 arbitration award under Subsection (8) {~~(p)~~} (q) , a court may not consider any recovery or other relief

8. Page 15, Line 446:

446 {~~(r)~~} (s) If a district court determines, upon a motion of the nonmoving party, that the

9. Page 15, Line 450:

450 {~~(s)~~} (t) Nothing in this section is intended to limit any claim under any other portion of an

10. Page 15, Line 452:

452 {~~(t)~~} (u) If there are multiple uninsured motorist policies, as set forth in Subsection (7), the

11. Page 21, Lines 643 through 644:

643 (iii) any allegations or claims asserting consequential damages or bad faith liability.

(m) The arbitrator or arbitration panel may not conduct arbitration on a class−wide or class−representative basis.

644 {~~(m)~~} (n) If the arbitrator or arbitration panel finds that the action was not brought, pursued,

12. Page 21, Line 647:

647 {~~(n)~~} (o) An arbitration award issued under this section shall be the final resolution of all

13. Page 22, Lines 653 through 654:

653 under Subsection (7) {~~(n)~~} (o) (ii)(A).

654 {~~(o)~~} (p) (i) Upon filing a complaint for a trial de novo under Subsection (7) {~~(n)~~} (o) , the claim

14. Page 22, Lines 658 through 660:

658 request a jury trial with a complaint requesting a trial de novo under Subsection (7) {~~(n)~~} (o) (ii)(A).

659 {~~(p)~~} (q) (i) If the claimant, as the moving party in a trial de novo requested under

660 Subsection (7) {~~(n)~~} (o) , does not obtain a verdict that is at least $5,000 and is at least 20% greater

15. Page 22, Line 663:

663 under Subsection (7) {~~(n)~~} (o) , does not obtain a verdict that is at least 20% less than the arbitration

16. Page 22, Line 665:

665 (iii) Except as provided in Subsection (7) {~~(p)~~} (q) (iv), the costs under this Subsection (7) {~~(p)~~} (q)

17. Page 22, Lines 669 through 671:

669 (iv) An award of costs under this Subsection (7) {~~(p)~~} (q) may not exceed $2,500.

670 {~~(q)~~} (r) For purposes of determining whether a party's verdict is greater or less than the

671 arbitration award under Subsection (7) {~~(p)~~} (q) , a court may not consider any recovery or other relief

18. Page 22, Line 676:

676 {~~(r)~~} (s) If a district court determines, upon a motion of the nonmoving party, that the

19. Page 23, Line 680:

680 {~~(s)~~} (t) Nothing in this section is intended to limit any claim under any other portion of an

20. Page 23, Line 682:

682 {~~(t)~~} (u) If there are multiple underinsured motorist policies, as set forth in Subsection (3), ; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 256**, TRANSIT SECURITY AMENDMENTS, by Senator C. Bramble; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 234**, SEAT BELT AMENDMENTS, by Representative J. Murray.

Sheldon L. Killpack, Chair

Mr. President: February 8, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 167**, JUVENILE OFFENSES − DIVERSION AMENDMENT, by Senator P. Arent.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 124,** as amended, **1st Sub. S.B. 161, 1st Sub. S.B. 176, S.B. 191, S.B. 205, S.B. 222,** as amended, **1st Sub. S.B. 86, 2nd Sub. H.B. 79, S.B. 204,** as amended, **H.B. 81, H.B. 45, 1st Sub. S.B. 88, S.B. 193, S.B. 224,** as amended, **S.B. 256, H.B. 234,** and **S.B. 167** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 8, 2006

The Business and Labor Committee reports a favorable recommendation on **H.B. 308**, INSURANCE POLICY AND CONTRACT LAW AMENDMENTS,

by Representative T. Kiser, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 8, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 27**, DIVORCE EDUCATION AMENDMENTS, by Representative L. Fowlke, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 37**, PUBLIC ASSISTANCE AMENDMENTS, by Representative S. Allen, et al, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 105**, MEDICAID GENERIC DRUG REIMBURSEMENT AMENDMENTS, by Representative M. Walker, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

Mr. President: February 8, 2006

The Education Committee reports a favorable recommendation on **H.C.R. 2**, RESOLUTION PROMOTING UTAH'S LEGISLATORS BACK TO SCHOOL PROGRAM, by Representative M. Dayton, and recommends it be considered read for the second time and placed on the Consent Calendar.

David L. Thomas, Chair

Mr. President: February 8, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 73**, K. GUNN MCKAY HIGHWAY DESIGNATION, by Representative N. Hansen, and recommends it be considered read for the second time and placed on the Consent Calendar.

Sheldon L. Killpack, Chair

Mr. President: February 8, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 184**, CRIMINAL IDENTITY FRAUD

AMENDMENTS, by Senator C. Walker, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 186**, REVOCATION OF DEATH BENEFITS BY DIVORCE, by Senator K. Hale, and recommends it be considered read for the second time and placed on the Consent Calendar.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 308, H.B. 27, H.B. 37, H.B. 105, H.C.R. 2, H.B. 73, S.B. 184,** and **S.B. 186** were considered read the second time and placed on the Consent Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 8, 2006

The Natural Resources, Agriculture, and Environment Committee has returned **S.B. 217**, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS, by Senator T. Hatch, to the Rules Committee.

Michael G. Waddoups, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 217** was returned to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 196, **Revisions to Redevelopment Agency Provisions** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 209, **Waste Fee Amendments** (D. Eastman), read the first time by short title and referred to the Rules Committee.

S.B. 227, **Responsibilities of Public Transit Districts** (S. McCoy), read the first time by short title and referred to the Rules Committee.

S.B. 244, **Business Resource Centers** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 264, **Dna Exoneration Testing** (D. C. Buttars), read the first time by short title and referred to the Rules Committee.

S.C.R. 4, **Concurrent Resolution Supporting Goshute Tribe** (D. Peterson), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.C.R. 3, CONCURRENT RESOLUTION HONORING AMERICA'S MILITARY WAR DOGS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Hillyard	Mansell

S.C.R. 3 was transmitted to the House for consideration.

* * *

H.B. 205, REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.B. 205 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

H.B. 25, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.B. 25, as amended, was returned to the House for further consideration.

* * *

H.B. 16, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Mansell	Waddoups

H.B. 16 was returned to the House for further consideration.

* * *

On motion of Senator Hellewell, the circle was removed from **S.B. 68**, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, and it was before the Senate. Senator Hellewell explained the bill. Senator Mayne commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

S.B. 68 was transmitted to the House for consideration.

* * *

On motion of Senator Killpack, the circle was removed from **S.B. 152**, MEDICAID TASK FORCE, and it was before the Senate. Senator Killpack explained the bill.

On motion of Senator Killpack, the following substitute bill replaced the original bill:

1st Sub. S.B. 152 Medicaid Task Force (S. Killpack)

Senators Waddoups, Davis, Arent, and McCoy commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins

Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

1st Sub. S.B. 152 was transmitted to the House for consideration.

* * *

On motion of Senator Bell, the circle was removed from **1st Sub. S.B. 150**, RESTITUTION AMENDMENTS, and it was before the Senate. Senator Bell explained the bill. Senator Hillyard commented. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hickman	Jenkins	Knudson
Madsen	Mayne	McCoy	Stephenson
Thomas	Walker	Valentine	

Voting in the negative were: Senators

Hatch	Hellewell	Hillyard	Peterson
Waddoups			

Absent or not voting were: Senators

Bramble	Buttars	Evans	Killpack
Mansell			

1st Sub. S.B. 150 was transmitted to the House for consideration.

SECOND READING CALENDAR

H.B. 36, NOTICE REQUIREMENTS FOR BUDGET TRANSFERS FROM UTILITY FUNDS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow

Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Evans	Killpack
Mansell			

* * *

On motion of Senator Stephenson, the circle was removed from **2nd Sub. H.B. 14**, OPEN MEETINGS LAW AMENDMENTS, and it was before the Senate. Senator Stephenson explained the bill.

Senator Stephenson proposed the following amendment:

1. Page 2, Line 33

33 This bill coordinates with S.B. 9 by providing superseding and technical amendments.

2. Page 8, Lines 227 through 234:

227 Section 11. Coordinating H.B. 14 with S.B. 9 −− Superseding and technical amendments.

228 If this H.B. 14 and S.B. 9, Open and Public Meetings Act Revisions, both pass, it is the

229 intent of the Legislature that the Office of Legislative Research and General Counsel shall

230 prepare the Utah Code database for publication as follows:

231 (1) the reference in Subsection 52−4−3(2)(b)(i) to “Section 52−4−7.8” shall be changed

232 to “Section 52−4−207”; {~~and~~ }

233 (2) {~~Subsection~~ } Subsections 52−4−206 (1), (2) , and (3) shall be amended to read as follows {~~, “(2) The recording~~

234 ~~and any minutes of a closed meeting shall include:”~~ } :

”(1) Except as provided under Subsection (5), if a public body closes a meeting under Subsection 52−4−205(1), the public body:

(a) shall make a recording of the closed portion of the meeting; and

(b) may keep detailed written minutes that disclose the content of the closed portion of the meeting.

(2) A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.

(3) The recording and any minutes of a closed meeting shall include:"; and

(3) renumber remaining subsections accordingly .

Senator Stephenson's motion to amend passed on a voice vote.

# # #

Senator Stephenson proposed the following amendment:

1. Page 3, Lines 76 through 81

76 (b) "Public body" does not include any:

77 (i) political party, group, or caucus; [~~nor~~] **or**

78 (ii) any conference committee, rules committee, or sifting committee of the

79 Legislature {~~[~~} . {~~]~~} {~~; or~~

80 ~~(iii) a subcommittee of a public body if less than a quorum of the public body is~~

81 ~~present.~~ }

2. Page 4, Lines 108 through 111:

108 (1) A closed meeting may be held [~~upon the affirmative vote of~~]:

109 (a) if a quorum is present; and

110 (b) if two−thirds of the members of the public body present at an open meeting for

111 which notice is given [~~pursuant to~~] under Section 52−4−6[~~; provided, a quorum is present. No~~] vote to approve closing the meeting .

Senator Stephenson's motion to amend passed on a voice vote. Senators Thomas and Valentine commented. Senator Thomas declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Mansell

* * *

On motion of Senator McCoy, the circle was removed from **1st Sub. S.B. 163**, STATEMENT UNDER PENALTY OF PERJURY, and it was before the Senate.

On motion of Senator McCoy, the following substitute bill replaced the original bill:

2nd Sub. S.B. 163 Statement Under Penalty of Perjury (S. McCoy)

On motion of Senator McCoy, the bill was circled.

* * *

2nd Sub. H.B. 44, LOCAL GOVERNMENT AMENDMENTS, was read the second time. Senator Walker explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Madsen	Mansell

* * *

On motion of Senator Stephenson, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Stephenson, the circle was removed from **S.B. 33**, SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS, and it was before the Senate. Senator Stephenson explained the bill.

On motion of Senator Stephenson, the following substitute bill replaced the original bill:

2nd Sub. S.B. 33 Sales and Use Tax Exemptions for Certain Business Inputs (H. Stephenson)

On motion of Senator Stephenson, the bill was circled.

TIME CERTAIN

A citation was read recognizing Utah Emergency Medical Training.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 2006

The House passed, **1st Sub. S.B. 50**, JAIL FUNDING AMENDMENTS, by Senator D. Thomas, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 93**, BOILER AND ELEVATOR SAFETY PROVISIONS, by Senator E. Mayne, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 100**, COUNTY OFFICER AMENDMENTS, by Senator D. Thomas, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 50, S.B. 93, and **S.B. 100** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 2006

The House passed, as substituted, **1st Sub. H.B. 6**, UTILITY IMPROVEMENT DISTRICTS REVISIONS, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.B. 102**, SENTENCING FOR FIRST DEGREE FELONY MURDER, by Representative L. Fowlke, et al, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 220**, CHILD PROTECTION − GANG ASSOCIATION, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 236**, DEPARTMENT OF COMMERCE − DEMOGRAPHIC DATA TRACKING, by Representative M. Wheatley, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 241**, INDUSTRIAL PROTECTION ACT, by Representative R. Menlove, et al, and it is transmitted for consideration; and

The House passed **H.B. 244**, AGGRAVATED ASSAULT BY PRISONERS AMENDMENT, by Representative S. Wyatt, et al, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 274**, REMOVAL OF COUNTY OR PROSECUTION DISTRICT OFFICER AMENDMENTS, by Representative S. Wyatt, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 278**, OUT−OF−STATE PARENT−TIME AMENDMENTS, by Representative L. Fowlke, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 296**, GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT, by Representative K. Gibson, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 306**, PRIVATE PROBATION PROVIDER AMENDMENT, by Representative L. Fowlke, et al, and it is transmitted for consideration; and

The House passed **H.B. 370**, TRANSPORTATION PLANNING AMENDMENTS, by Representative B. Dee, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 6, H.B. 102, 1st Sub. H.B. 220, 2nd Sub. H.B. 236, H.B. 241, H.B. 244, 1st Sub. H.B. 274, H.B. 278, H.B. 296, H.B. 306,** and **H.B. 370** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 9, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 244	Business Resource Centers (Sen. P. Knudson)
H.B. 127	Limited Liability Company Amendments (Rep. J. S. Adams)
H.B. 221	Ambulance and Paramedic Fee Amendments (Rep. P. Ray)
H.B. 272	Insurance Law Amendments (Rep. T. Kiser)

Education Committee

S.B. 212	Veteran Survivor and Dependent Higher Education Benefit (Sen. S. McCoy)
H.B. 289	Utah Education Network Amendments (Rep. K. Holdaway)

Government Operations/Political Subdivisions Committee

H.B. 80	Energy Savings in State Buildings (Rep. F. Hunsaker)
H.J.R. 8	Resolution Revising Executive Officer Succession Provisions (Rep. S. Allen)

Health and Human Services Committee

H.B. 103	Changes to Definitions of a Child and a Minor (Rep. W. Harper)

Judiciary, Law Enforcement, Criminal Justice Committee

S.B. 264	Dna Exoneration Testing (Sen. D. C. Buttars)

Natural Resources, Agriculture, and Environment Committee

S.C.R. 4	Concurrent Resolution Supporting Goshute Tribe (Sen. D. Peterson)

Revenue and Taxation Committee

S.B. 196	Revisions to Redevelopment Agency Provisions (Sen. C. Bramble)
S.B. 209	Waste Fee Amendments (Sen. D. Eastman)

Retirement and Independent Entities

1st Sub. H.B. 224	Retirement System Participation (Rep. D. Clark)
H.B. 225	Post Retirement Employment (Rep. G. Donnelson)
H.B. 346	State Employee Retirement Benefits Amendments (Rep. J. Dougall)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

SECOND READING CALENDAR

H.B. 78, INVESTMENT OF LAND GRANT TRUST FUNDS, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Madsen	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hale	Knudson	Mansell
Stephenson			

* * *

H.B. 52, SALES AND USE TAX EXEMPTION FOR TRANSPORTATION, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Knudson	Mansell

* * *

H.B. 18, UNEMPLOYMENT COMPENSATION − SOCIAL SECURITY OFFSET, was read the second time. Senator Hickman explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Knudson	Mansell

* * *

H.B. 31, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

H.B. 213, SERVICES FOR PEOPLE WITH BRAIN INJURIES, was read the second time. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Davis	Evans	Hatch
Knudson	Mansell		

* * *

H.B. 82, EDUCATION INFORMATION TECHNOLOGY SYSTEMS, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hatch	Mansell

* * *

On motion of Senator Knudson, the circle was removed from **H.B. 31**, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH

DISABILITIES, and it was before the Senate. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Evans	Hatch	Hickman
Mansell			

On motion of Senator Knudson, **H.B. 31** was placed on Third Reading Table due to fiscal impact.

* * *

H.B. 232, HIGHER EDUCATION TUITION FOR ACTIVE DUTY MILITARY, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Mansell

* * *

H.B. 32, LIFE INSURANCE AND ANNUITY LAW AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

H.B. 34, INSURANCE REPORTS, TABLES, AND EXAMINATION AMENDMENTS, was read the second time. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

H.B. 66, TUITION WAIVERS FOR HIGHER EDUCATION, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

* * *

H.B. 13, COMMON POLLING PLACES AMENDMENTS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

* * *

H.B. 15, EARLY VOTING, was read the second time. Senator Hellewell explained the bill. Senator Arent commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Hatch	Stephenson	Thomas

Absent or not voting were: Senators

Bramble	Buttars	Mansell

* * *

H.B. 67, MILITARY AND OVERSEAS CITIZENS ABSENTEE VOTER AMENDMENTS, was read the second time. Senator Eastman explained the bill. Senator McCoy commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

* * *

H.B. 54, SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN AGRICULTURAL PRODUCTS, was read the second time. Senator Dmitrich explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hickman	Mansell	Stephenson

* * *

1st Sub. H.B. 55, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, was read the second time. Senator Dmitrich explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

On motion of Senator Dmitrich, **1st Sub. H.B. 55** was placed on Third Reading Table due to fiscal impact.

* * *

H.B. 38, WATER REUSE REQUIREMENTS, was read the second time. Senator Hatch explained the bill. Senators Thomas, Arent, and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Mansell

* * *

1st Sub. H.B. 46, ENERGY POLICY AMENDMENTS, was read the second time.

On motion of Senator Bell, the bill was circled.

* * *

1st Sub. H.B. 49, DEPARTMENT OF TECHNOLOGY SERVICES PERSONNEL TRANSFER − SUPPLEMENTAL APPROPRIATION, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Madsen
Mansell			

* * *

H.B. 50, UTAH TECHNOLOGY INDUSTRY COUNCIL REVISIONS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hickman	Madsen
Mansell			

* * *

H.B. 56, SEX OFFENDER REGISTRATION AMENDMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Killpack	Knudson	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator

Jenkins

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Hickman
Madsen	Mansell		

* * *

H.B. 60, CONTROLLED SUBSTANCE AMENDMENTS, was read the second time. Senator Bell explained the bill. Senators Thomas and Evans commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators
Buttars Madsen Mansell

* * *

H.B. 63, PROBATE CODE AMENDMENTS REGARDING HOMICIDE, was read the second time. Senator Arent explained the bill.

Senator Thomas proposed the following amendment:

1. Page 3, Lines 76 through 88:

76 (7) [~~After all right to appeal has been exhausted, a judgment of conviction establishing~~

77 ~~criminal accountability for the felonious and intentional killing of the decedent conclusively~~

78 ~~establishes the convicted individual as the decedent's killer for purposes of this section. In the~~

79 ~~absence of a conviction, the~~] The court, upon the petition of an interested person, shall

80 determine whether, under the preponderance of evidence standard, the individual [~~would be~~

81 ~~found criminally accountable for the felonious and intentional killing~~] has committed a

82 disqualifying homicide of the decedent. If the court determines that, under that standard, the

83 individual [~~would be found criminally accountable for the felonious and intentional killing~~] has

84 committed a disqualifying homicide of the decedent, the determination conclusively establishes

85 that individual as [~~the decedent's killer~~] having committed a disqualifying homicide for

86 purposes of this section , unless the court finds that the act of disinheritance would create a manifest injustice . A judgment of criminal conviction for a disqualifying homicide of the

87 decedent, after all direct appeals have been exhausted, conclusively establishes that the

88 convicted individual has committed the disqualifying homicide for purposes of this section.

Senator Thomas' motion to amend passed on a voice vote. Senator Jenkins commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

H.B. 70, STATUTE OF LIMITATIONS ON BODILY INJURY, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

H.B. 208, AGGRAVATED MURDER AMENDMENT, was read the second time. Senator Bell explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

H.B. 212, DNA DATABASE AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

1st H.B. 219, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION, was read the second time. Senator Mayne explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

On motion of Senator Knudson and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 10, 2006.

FEBRUARY 10, 2006

TWENTY−SIXTH DAY

MORNING SESSION

The Senate was called to order at 10:20 a.m., with President John Valentine presiding.

Prayer − Kent Cannon, President of the Salt Lake Parley's Stake, The Church of Jesus Christ of Latter−Day Saints

Pledge of Allegiance − Senator Ed Mayne

Roll Call − All Senators present except Senators Buttars and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 9, 2006

The House adopted the Joint Conference Committee Report dated February 9, 2006, and passed **2nd Sub. H.J.R. 3**, JOINT RULES RESOLUTION − BASE BUDGET PROCESS, by Representative R. Bigelow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed.

2nd Sub. H.J.R. 3, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

* * *

Mr. President: February 10, 2006

The House passed, as substituted, **1st Sub. H.B. 28**, ACCESS AND FEE AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 61**, CRIMINAL PENALTY FOR ANIMAL CRUELTY, by Representative S. Wyatt, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 97**, COMMUNITY IMPACT AMENDMENTS, by Representative G. Snow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 115**, SALARY OF THE LIEUTENANT GOVERNOR, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 125**, STATE LONG−TERM CARE FOR INMATES, by Representative J. Biskupski, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 267**, TRANSPORTATION CONSTRUCTION AMENDMENTS, by Representative Julie Fisher, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 293**, TRANSPORTATION − OVERSIZE AND OVERWEIGHT PERMIT, by Representative K. Gibson, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 28, H.B. 61, 1st Sub. H.B. 97, 1st Sub. H.B. 115, H.B. 125, H.B. 267,** and **H.B. 293** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 9, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 84**, NONPROFIT ENTITY AMENDMENTS, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 90**, HOMEOWNERS ASSOCIATION PROVISIONS, by Senator J. Hickman; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 233**, INSURANCE LICENSING AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 15, Line 461 through Page 16, Line 466:

461 [~~(7)~~] (8) (a) A person licensed to practice law in Utah is exempt from the requirements of

462 Subsections [~~(1) and~~] (2) and (3) if that person issues 12 or less policies in any 12−month

463 period.

(b) In determining the number of policies issued by a person licensed to practice law in Utah for purposes of Subsection (8)(a), if the person licensed to practice law in Utah issues a policy to more than one party to the same closing, the person is considered to have issued only one policy.

464 [~~(8)~~] (9) A person licensed to practice law in Utah, whether exempt under Subsection

465 [~~(7)~~] (8) or not, shall maintain a trust account separate from a law firm trust account for all title

466 and real estate escrow transactions. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 242**, MOTORBOAT LIABILITY INSURANCE AMENDMENTS, by Representative K. Gibson; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 250**, LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES, by Representative G. Hughes; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 315**, REAL ESTATE AMENDMENTS, by Representative G. Snow, with the following amendments:

1. Page 1, Lines 12 through 15:

12 This bill:

▶ modifies exemptions for persons or transactions;

13 ▶ permits a member of the Real Estate Commission to serve two consecutive terms;

▶ modifies limit on the amount of a civil penalty;

14 ▶ modifies grounds for disciplinary action; and

15 ▶ makes technical changes.

2. Page 1, Lines 21 through 22:

21 AMENDS:

61−2−3, as last amended by Chapter 102, Laws of Utah 1996

22 61−2−5.5, as last amended by Chapters 199 and 257, Laws of Utah 2005

3. Page 1, Line 25:

25 Be it enacted by the Legislature of the state of Utah:

Section 1. Section 61−2−3 is amended to read:

61−2−3. Exempt persons and transactions.

(1) (a) Except as provided in Subsection (1)(b), a license under this chapter is not required for:

(i) any person who as owner or lessor performs the acts described in Subsection 61−2−2 (12) with reference to property owned or leased by that person;

(ii) a regular salaried employee of the owner or lessor of real estate who, with reference to nonresidential real estate owned or leased by the employer, performs the acts enumerated in Subsections 61−2−2(12)(a) and (b);

(iii) a regular salaried employee of the owner of real estate who performs property management services with reference to real estate owned by the employer, except that the employee may only manage property for one employer;

(iv) a person who performs property management services for the apartments at which that person resides in exchange for free or reduced rent on that person's apartment;

(v) a regular salaried employee of a condominium homeowners' association who manages real property subject to the declaration of condominium that established the homeowners' association, except that the employee may only manage property for one condominium homeowners' association; and

(vi) a regular salaried employee of a licensed property management company who performs support services, as prescribed by rule, for the property management company.

(b) Subsection (1)(a) does not exempt from licensing:

(i) employees engaged in the sale of properties regulated under **;**

(A) Title 57, Chapter 11, Utah Uniform Land Sales Practices Act **;** and

(B) Title 57, Chapter 19, Timeshare and Camp Resort Act;

(ii) employees engaged in the sale of cooperative interests regulated under Title 57, Chapter 23, Real Estate Cooperative Marketing Act; or

(iii) any person whose interest as an owner or lessor was obtained by {~~ him ~~} that person or transferred to {~~ him ~~} that person for the purpose of evading the application of this chapter, and not for any other legitimate business reason.

(2) A license under this chapter is not required for:

(a) isolated transactions by persons holding a duly executed power of attorney from the owner;

(b) services rendered by an attorney at law in performing {~~ his ~~} the attorney at law's duties as an attorney at law;

(c) a receiver, trustee in bankruptcy, administrator, executor, or any person acting under order of any court;

(d) a trustee or its employees under a deed of trust or a will; or

(e) any public utility, its officers, or regular salaried employees, unless performance of any of the acts set out in Subsection 61−2−2 (12) is in connection with the sale, purchase, lease, or other disposition of real estate or investment in real estate unrelated to the principal business activity of that public utility.

(3) {~~ (a) Except as provided in Subsection (3)(b), a ~~} A license under this chapter is not required for any person registered to act as a broker−dealer, agent, or investment advisor under the Utah and federal securities laws in the sale or the offer for sale of real estate if:

(a) (i) the real estate is a necessary element of a "security" as that term is defined by the Securities Act of 1933 and the Securities Exchange Act of 1934; and

(ii) the security is registered for sale **:**

(A) pursuant to the Securities Act of 1933 **;** or

(B) by Title 61, Chapter 1, Utah Uniform Securities Act {~~ . ~~} ; or

(b) (i) it is a transaction in a security for which a Form D, described in 17 C.F.R. Sec. 239.500, has been filed with the Securities and Exchange Commission pursuant to Regulation D, Rule 506, 17 C.F.R. Sec. 230.506; and

(ii) the selling agent and the purchaser are not residents of this state.

{~~ (b) The exemption in Subsection (3)(a) does not apply to exempt or resale transactions. ~~}

Renumber remaining sections accordingly.

4. Page 4, Lines 112 through 117:

112 subpoena is considered as a separate violation of this chapter. The commission, with the

113 concurrence of the director, may impose a civil penalty in an amount not to exceed {~~$500~~} $2,500 per

114 violation, impose educational requirements, and suspend, revoke, place on probation, or deny

115 renewal, reinstatement, or reissuance of any license or any certification if at any time the

116 licensee or certificate holder, whether acting as an agent or on his own account, is found guilty

117 of:

Scott K. Jenkins, Chair

Mr. President: February 9, 2006

The Health and Human Services Committee reports a favorable recommendation on **S.B. 195**, CHILD SUPPORT GUIDELINES, by Senator G. Bell; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 204**, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, by Representative P. Wallace; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 217**, HEALTH INSURANCE HIGH RISK POOL ELIGIBILITY AMENDMENTS, by Representative D. Litvack.

Allen M. Christensen, Chair

Mr. President: February 9, 2006

The Education Committee reports a favorable recommendation on **H.B. 119**, BOARD OF REGENTS AMENDMENTS, by Representative J. Alexander; and

The Education Committee reports a favorable recommendation on **H.B. 226**, KINDERGARTEN READINESS, by Representative L. Shurtliff.

David L. Thomas, Chair

Mr. President: February 9, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 220**, TIE BIDS − PREFERENCE FOR IN−STATE COMMODITIES, by Senator D. Peterson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 249**, COUNTY GOVERNMENT AMENDMENTS, by Senator D. Peterson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 87**, USE OF DISASTER LOAN FUNDS, by Representative D. Clark; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 152**, NAVAJO TRUST FUND AMENDMENTS, by Representative B. King; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.C.R. 5**, RESOLUTION URGING CONGRESS TO RESOLVE CAMP WILLIAMS BOUNDARY ISSUES, by Representative D. Hogue.

Parley G. Hellewell, Chair

Mr. President: February 9, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 225**, PAYMENT OF TAX OR BONDING IN TAX CASES, by Senator H. Stephenson, with the following amendments:

1. Page 2, Lines 41 through 48:

41 (3) The commission shall waive the requirements of Subsection (2) if a taxpayer

42 establishes:

43 (a) that the taxpayer has {– ~~assets or income worth substantially more than the amount of~~

44 ~~the deficiency~~ } sufficient financial resources to pay the deficiency if the deficiency is upheld in a final unappealable judgment or order by a court of competent jurisdiction ; or

45 (b) as determined by the commission, that collection of the deficiency that is the

46 subject of the appeal is not jeopardized by waiving the requirements of Subsection (2).

47 (4) (a) The commission may not unreasonably deny a waiver described in Subsection

48 (3). ; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 256**, REQUIREMENT OF PROPERTY TAX INCREASE ADVERTISEMENT, by Representative G. Hughes.

Curtis S. Bramble, Chair

Mr. President: February 9, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 202**, USE OF OIL AND GAS TAX REVENUES, by Senator L. Hillyard, with the following amendments:

1. Page 2, Lines 34 through 41:

34 59−5−115. Disposition of taxes collected −− Credit to General Fund.

35 [~~All~~] {~~(1) Except as provided in Subsection (2), all~~} (1) All taxes imposed and collected under

36 Section 59−5−102 shall be paid to the commission, and promptly remitted to the state

37 treasurer[~~,~~] . {~~and~~} [~~except those taxes otherwise allocated under Section 59−5−116 or 59−5−119,~~]

38 (2) (a) Except as provided in Subsection (2)(b), all taxes imposed and collected under Section 59−5−102 shall be credited to the General Fund.

39 {~~(2)~~} (b) Subsection {~~(1)~~} (2)(a) does not apply to:

40 (a) those taxes otherwise allocated under Section 59−5−116 or 59−5−119; or

41 (b) those taxes credited to the permanent state trust fund under Section 63−97a−105. ; and

The Workforce Services and Community and Economic Development Committee recommends **S.B. 232**, AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION, by Senator E. Mayne, be replaced and favorably recommends **1st Sub. S.B. 232,** AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION with the following amendments:

1. Page 19, Line 564:
after "within" delete "three" and insert "six"

2. Page 19, line 567:
delete line 567 and renumber accordingly

3. Page 19, line 572:
after "need not have" insert commission"; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 39**, UTAH INTERNATIONAL TRADE COMMISSION, by Representative S. Allen; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 40**, EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES AND ACTIVITIES, by Representative J. S. Adams, et al.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 84, S.B. 90, H.B. 233,** as amended, **H.B. 242, H.B. 250, H.B. 315,** as amended, **S.B. 195, H.B. 204, H.B. 217, H.B. 119, H.B. 226, S.B. 220, S.B. 249, 1st Sub. H.B. 87, H.B. 152, H.C.R. 5, S.B. 225,** as amended, **H.B. 256, S.B. 202,** as amended, **1st Sub. S.B. 232,** as amended, **H.B. 39,** and **H.B. 40,** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February , 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 229**, TRAUMA REGISTRY DATA, by Representative S. Allen, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 237**, DIRECT−ENTRY MIDWIFE ACT − REPEALERS, by Representative J. Biskupski, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 245**, CHILD CUSTODY DETERMINATIONS, by Representative L. Fowlke, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 2, Line 34:

34 (iii) the extent of bonding between the parent and child, meaning the depth , quality, and nature ; and

The Health and Human Services Committee reports a favorable recommendation on **H.C.R. 3**, RESOLUTION REGARDING THE HARMFUL EFFECTS OF TOBACCO, ALCOHOL, AND DRUGS ON YOUTH, by Representative N. Hansen, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

Mr. President: February 9, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 246**, COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS, by Senator T. Hatch, and recommends it be considered read for the second time and placed on the Consent Calendar.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 229, H.B. 237, 1st Sub. H.B. 245,** as amended, **H.C.R. 3,** and **S.B. 246** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 228, **Special Revenue Fund for Salinity Offset Program** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 252, **Consumer Credit Code Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 269, **Securities Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

1st Sub. S.B. 183, UTAH EMERGENCY MEDICAL SERVICES ACT AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow

Hale	Hatch	Hellewell	Hickman
Hillyard	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Evans	Jenkins
Mansell			

1st Sub. S.B. 183 was transmitted to the House for consideration.

CONCURRENCE CALENDAR

On motion of Senator Thomas, the Senate voted to concur in the House amendments to **S.B. 99**, COUNTY RECORDER AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Mansell

S.B. 99 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, the Senate voted to concur in the House amendments to **S.B. 115**, CONTINUING EDUCATION IN INSURANCE. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

S.B. 115 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

H.B. 36, NOTICE REQUIREMENTS FOR BUDGET TRANSFERS FROM UTILITY FUNDS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

H.B. 36 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Arent, the circle was removed from **S.B. 49**, SCHOOL COMMUNITY COUNCIL AMENDMENTS, and it was before the Senate. Senator Arent explained the bill. Senators Mayne, Thomas, Killpack commented.

On motion of Senator Arent, the bill was circled.

* * *

On motion of Senator Hickman, the circle was removed from **S.B. 54**, REVENUE FLOW FROM SPEEDING VIOLATIONS, and it was before the Senate. Senator Hickman explained the bill.

Senator Hickman proposed the following amendment:

1. Delete Amendment 1 dated 2−1−06
   Reinstate the original language

Senator Hickman's motion to amend passed on a voice vote. Senators Hatch, Knudson, and Dmitrich commented. The bill passed on the following roll call:

Yeas, 16; Nays, 11; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Dmitrich	Eastman	Goodfellow
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mayne	McCoy
Stephenson	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Bell	Christensen	Davis
Evans	Fife	Hale	Hatch
Jenkins	Peterson	Thomas	

Absent or not voting were: Senators

Buttars	Mansell

S.B. 54 was transmitted to the House for consideration.

* * *

2nd Sub. H.B. 14, OPEN MEETINGS LAW AMENDMENTS, was read the third time and explained by Senator Stephenson.

Senator Thomas proposed the following amendment:

1. Page 1, Lines 22 through 24

   22 ▶ requires that public bodies provide annual training on the requirements of the Open and

   23 Public Meetings Act to the members of a public body
   { ~~whenever a new member is~~

   24 ~~elected or appointed~~ } ;

2. Page 4, Lines 90 through 104
   Senate 2nd Reading Amendments
   2−9−2006

90 52−4−3. Meetings open to the public −− Exceptions.

91 [~~Every~~] (1) (a) A meeting is open to the public unless closed pursuant to Sections 52−4−4

92 and 52−4−5.

93 (2) (a) A meeting that is open to the public includes a workshop or an executive

94 session of a public body in which a quorum is present, unless closed in accordance with this

95 chapter.

96 (b) A workshop or an executive session of a public body in which a quorum is present

97 that is held on the same day as a regularly scheduled public meeting of the public body may

98 only be held at the location where the public body is holding the regularly scheduled public

99 meeting unless:

100 (i) the workshop or executive session is held at the location where the public body holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at different location;

(ii) any of the meetings held on the same day is a site visit or a traveling tour and, in accordance with this chapter, public notice is given;

(iii) the workshop or executive session is an electronic meeting conducted according to

101 the requirements of Section 52−4−7.8; or

102 {~~(ii)~~} (iv) it is not practicable to conduct the workshop or executive session at the regular

103 location of the public body's open meetings due to an emergency or extraordinary

104 circumstances.

3. Page 8, Lines 212 through 215

212 { ~~Within 60 days of the election or appointment of a new member to a public body,~~

213~~ including school boards, that is subject to the requirements of this chapter, the~~ } The presiding officer

214 of the public body shall ensure that the members of the public body are provided with annual training

215 on the requirements of this chapter.

Senator Thomas' motion to amend passed on a voice vote. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Mansell

2nd Sub. H.B. 14, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Arent, the circle was removed from **S.B. 49**, SCHOOL COMMUNITY COUNCIL AMENDMENTS, and it was before the Senate. Senator Arent explained the bill.

Senator Mayne proposed the following amendment:

1. Page 1, Line 32:
After "school" insert "does not exceed"
and delete "normally requires"
After "average of" delete "less than"
Delete "eighteen" and insert "six"

Senator Mayne's motion to amend passed on a voice vote. Senators Killpack, Stephenson, Evans, and Madsen commented. Senator Killpack declared a conflict of interest. The bill failed on the following roll call:

Yeas, 13; Nays, 12; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Fife	Goodfellow	Hale
Hillyard	Mayne	McCoy	Thomas
Walker			

Voting in the negative were: Senators

Evans	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Peterson	Stephenson	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Mansell

S.B. 49 was returned to the staff for filing.

* * *

2nd Sub. H.B. 44, LOCAL GOVERNMENT AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Eastman	Mansell

2nd Sub. H.B. 44, as amended, was returned to the House for further consideration.

* * *

H.B. 78, INVESTMENT OF LAND GRANT TRUST FUNDS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Eastman
Mansell			

H.B. 78 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 52, SALES AND USE TAX EXEMPTION FOR TRANSPORTATION, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Eastman
Mansell			

H.B. 52 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 18, UNEMPLOYMENT COMPENSATION − SOCIAL SECURITY OFFSET, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Eastman
Mansell			

H.B. 18 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 213, SERVICES FOR PEOPLE WITH BRAIN INJURIES, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Eastman
Mansell			

H.B. 213 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 82, EDUCATION INFORMATION TECHNOLOGY SYSTEMS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Eastman	Mansell

H.B. 82 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 232, HIGHER EDUCATION TUITION FOR ACTIVE DUTY MILITARY, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

H.B. 232 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 32, LIFE INSURANCE AND ANNUITY LAW AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

H.B. 32 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 34, INSURANCE REPORTS, TABLES, AND EXAMINATION AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

H.B. 34 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

TIME CERTAIN

A citation was read honoring Jerry Mangus as a recipient of the United States Department of Education “No Child Left Behind Act American Star of Teaching” Award.

* * *

H.B. 66, TUITION WAIVERS FOR HIGHER EDUCATION, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 13, COMMON POLLING PLACES AMENDMENTS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Jenkins	Mansell

H.B. 13, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hillyard, the circle was removed from **H.B. 66**, TUITION WAIVERS FOR HIGHER EDUCATION. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Jenkins	Mansell

H.B. 66 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 15, EARLY VOTING, was read the third time.

On motion of Senator Hellewell, the bill was circled.

* * *

H.B. 67, MILITARY AND OVERSEAS CITIZENS ABSENTEE VOTER AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Jenkins	Mansell

H.B. 67 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 54, SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN AGRICULTURAL PRODUCTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative was: Senator
McCoy

Absent or not voting were: Senators

Bramble	Buttars	Jenkins	Mansell

H.B. 54 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 10, 2006

The House concurred in the Senate amendments and passed **H.B. 25**, CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS, by Representative W. Harper, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 25, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

* * *

Mr. President: February 10, 2006

The House passed, **S.B. 132**, SURPLUS PROPERTY AMENDMENTS, by Senator P. Knudson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 141**, RESPONSE TO HIPAA CHANGES, by Senator P. Knudson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 132 and **S.B. 141** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 10, 2006

The House passed **H.B. 461**, VETERANS NURSING HOME − EXTENSION BOND AUTHORIZATION, by Representative A. Hardy, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 461** was read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 10, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 252	Consumer Credit Code Amendments (Sen. C. Bramble)
S.B. 269	Securities Amendments (Sen. C. Bramble)
1st Sub. H.B. 72	Workers' Compensation for the State (Rep. G. Snow)
H.B. 241	Industrial Protection Act (Rep. R. Menlove)

Education Committee

H.B. 285	Appropriation for Highly Qualified Teachers (Rep. K. Holdaway)

Government Operations/Political Subdivisions Committee

1st Sub. H.B. 6	Utility Improvement Districts Revisions (Rep. D. Ure)

Health and Human Services Committee

H.B. 278	Out−of−state Parent−time Amendments (Rep. L. Fowlke)

Judiciary, Law Enforcement, Criminal Justice Committee

H.B. 102	Sentencing for First Degree Felony Murder (Rep. L. Fowlke)
H.B. 125	State Long−term Care for Inmates (Rep. J. Biskupski)
1st Sub. H.B. 220	Child Protection − Gang Association (Rep. E. Hutchings)
H.B. 244	Aggravated Assault by Prisoners Amendment (Rep. S. Wyatt)
H.B. 306	Private Probation Provider Amendment (Rep. L. Fowlke)

Natural Resources, Agriculture, and Environment Committee

H.B. 228	Groundwater Management Plan (Rep. D. Ure)

H.B. 296	Governor's Budget − Wage and Benefit Increases to Be Considered for Soil Conservation District (Rep. K. Gibson)

Transportation/Public Utilities/Technology Committee

S.B. 227	Responsibilities of Public Transit Districts (Sen. S. McCoy)
H.B. 267	Transportation Construction Amendments (Rep. Julie Fisher)
H.B. 293	Transportation − Oversize and Overweight Permit (Rep. K. Gibson)
H.B. 370	Transportation Planning Amendments (Rep. B. Dee)

Workforce Services and Community and Economic Development Committee

1st Sub. H.B. 97	Community Impact Amendments (Rep. G. Snow)
H.B. 218	Schools for the Deaf and Blind Salary Adjustment (Rep. K. Morgan)
2nd Sub. H.B. 236	Department of Commerce − Demographic Data Tracking (Rep. M. Wheatley)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

THIRD READING CALENDAR

H.B. 38, WATER REUSE REQUIREMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 38 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Hatch, the Senate voted to spread the following language upon the pages of the Senate Journal.

STATEMENT AS TO THE MEANING OF LINES 218 AND 231 OF H.B. 38 AND THE WORK OF THE INTERIM WATER TASK FORCE

Water is one of the most scarce and valuable resources in the State of Utah. As the population of Utah continues to grow, new sources of safe and reliable water will become increasing difficult and expensive to develop. Utah's limited sources of future water supply make reuse of sewage effluent an important component in meeting future demands for water. The reuse of sewage effluent is also an important component in protecting the water quality in Utah by reducing the pollutant loading to streams and rivers. Reuse of sewage effluent will increase the life of existing treatment facilities and reduce the need for our communities to build more elaborate and expensive treatment facilities to maintain the high quality of water in our streams and rivers. The increased utilization of sewage effluent should be a significant component of the State's plan to meet the future water needs of its inhabitants, and the State should encourage and promote the reuse of sewage effluent.

In light of the foregoing, it is the purpose of the Wastewater Reuse Act and the policy of the State of Utah to encourage, promote, and implement beneficial reuse of sewage effluent, consistent with the rights of the owners of water rights, to better utilize, conserve, and extend Utah's scarce and valuable water resources.

PURPOSE STATEMENT FOR H.B. 38

"One of the more difficult issues involved in obtaining the concurrence of the water community on this bill relates to the historic practices of the state water engineer's office in dealing with water rights held by special districts such as water conservancy districts, metropolitan water districts and improvement districts. The special districts are political subdivisions of the State of Utah and quasi municipal corporations. It is current practice of the state engineer to approve water rights filed by special districts as "municipal" rights. However, in the past, some special district water right filings were approved as "domestic" rather than "municipal" while other more or less contemporary special district water filings

were approved as “municipal”. If water reuse were limited to water rights that were officially classified as “municipal” by the state engineer, some special district water rights would be eligible for reuse while others would not, even though they are held by the same special district and have always been used in the same way. To clarify the intent that all water rights held by special districts are to be eligible for reuse under this legislation, language was inserted into Sections 73−3c−201 (1)(a) and 73−3c−202(1)(b) to allow a water right that has been “administered by the state engineer as a municipal water right” [LINES 218 & 231] to be eligible for reuse provided the other reuse requirements are met, even though the water right is not owned by a municipality and was not officially approved as “municipal” by the state engineer.”

* * *

1st Sub. H.B. 49, DEPARTMENT OF TECHNOLOGY SERVICES PERSONNEL TRANSFER − SUPPLEMENTAL APPROPRIATION, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hickman	Hillyard
Killpack	Knudson	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Buttars	Dmitrich	Hellewell
Jenkins	Madsen	Mansell	Stephenson

1st Sub. H.B. 49 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 50, UTAH TECHNOLOGY INDUSTRY COUNCIL REVISIONS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 50 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 56, SEX OFFENDER REGISTRATION AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hickman	Hillyard
Killpack	Knudson	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Hellewell
Jenkins	Madsen	Mansell	Stephenson

H.B. 56 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 60, CONTROLLED SUBSTANCE AMENDMENTS, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Fife	Goodfellow

Hale	Hatch	Hickman	Killpack
Knudson	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Evans	Hellewell
Hillyard	Jenkins	Madsen	Mansell
Stephenson			

H.B. 60 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 63, PROBATE CODE AMENDMENTS REGARDING HOMICIDE, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 63, as amended, was returned to the House for further consideration.

* * *

H.B. 70, STATUTE OF LIMITATIONS ON BODILY INJURY, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 70 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 208, AGGRAVATED MURDER AMENDMENT, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 208 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 212, DNA DATABASE AMENDMENTS, was read the third time and explained by Senator Knudson. Senator Hillyard commented and the bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hickman
Hillyard	Killpack	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Jenkins
Madsen	Mansell	Stephenson	

H.B. 212 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 219, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION, was read the third time and explained by Senator Mayne. Senators Davis, Valentine, and Hillyard commented.

On motion of Senator Mayne, the bill was circled.

SECOND READING CALENDAR

S.B. 177, WATER RIGHT APPLICATION AMENDMENT, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 1; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hillyard	Killpack
Mayne	McCoy	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Peterson

Absent or not voting were: Senators

Bramble	Buttars	Dmitrich	Hellewell
Hickman	Jenkins	Knudson	Madsen
Mansell	Stephenson		

* * *

S.B. 80, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, was read the second time.

On motion of Senator Killpack, the bill was circled.

* * *

1st Sub. S.B. 129, MOTOR VEHICLE REGISTRATION AMENDMENTS, was read the second time. Senator Killpack explained the bill. Senators Thomas, Waddoups, Hillyard, and Mayne commented.

On motion of Senator Killpack, the bill was circled.

* * *

On motion of Senator Knudson and at 3:10 p.m., the Senate adjourned until 10:00 a.m., Monday, February 13, 2006.

FEBRUARY 13, 2006

TWENTY−NINTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President John Valentine presiding.

Prayer − Katie O'Brien, Sky View High School student
Pledge of Allegiance − Senator Gene Davis
Roll Call − All Senators present except Senators Buttars and Mansell, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 10, 2006

The Speaker of the House has signed **S.B. 99**, COUNTY RECORDER AMENDMENTS, by Senator D. Thomas, et al, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 115**, CONTINUING EDUCATION IN INSURANCE, by Senator T. Hatch, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 99 and **S.B. 115** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 10, 2006

The House passed, as substituted, **1st Sub. H.B. 65**, CONSUMER PROTECTION AGENCY, by Representative M. S. Lawrence, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 68**, SCHOOL FEE WAIVER AMENDMENTS, by Representative L. Shurtliff, and it is transmitted for consideration; and

The House passed **H.B. 131**, ECONOMIC DEVELOPMENT INCENTIVES, by Representative B. Dee, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 266**, FIRE ALARM SYSTEM CERTIFICATION REQUIREMENTS, by Representative J. Murray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 269**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, by Representative D. Clark, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 291**, STATE TAX COMMISSION BONDING AND LICENSING AMENDMENTS, by Representative W. Harper, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 10**, JOINT RULES RESOLUTION − DISCLOSURE OF CONFLICT OF INTEREST, by Representative R. Romero, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 65, 1st Sub. H.B. 68, H.B. 131, H.B. 266, H.B. 269, H.B. 291,** and **H.J.R. 10** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 10, 2006

The House refused to concur with the Senate Amendments to **H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, et al, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Christensen, the Senate voted to refuse to recede from its amendments to **H.B. 16**. President Valentine appointed a conference committee consisting of Senators Hellewell, Christensen, and Fife to meet with a like committee from the House.

STANDING COMMITTEE REPORTS

Mr. President: February 10, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 209**, WASTE FEE AMENDMENTS, by Senator D. Eastman, with the following amendments:

1. Page 1, Line 24:

   24 ▶ establishes fees on certain wastes sent to nonhazardous solid waste disposal or treatment facilities that are not {~~regulated by the state~~} otherwise subject to a fee under the bill by

2. Page 9, Lines 246 through 248:

   246 {~~(i) "Facility not regulated by the state" means a nonhazardous solid waste disposal or~~

   247 ~~treatment facility that is not subject to a fee under this section.~~ }

   248 {~~(ii)~~ } (i) "Recycling center" means a facility that extracts valuable materials from a waste

3. Page 9, Line 251:

   251 {~~(iii)~~ } (ii) "Transfer station" means a permanent, fixed, supplemental collection and

4. Page 9, Line 256:

   256 nonhazardous solid waste disposal or treatment facility {~~not regulated by the state~~ } that is not subject to a fee under this section ~~:~~ ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 242**, TAX REVISIONS, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 258**, REVENUE BONDS − AUDITING OF LEASES, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President: February 10, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 215**, ELECTRONIC WASTE TASK FORCE AND MORATORIUM ON ELECTRONIC WASTE DISPOSAL, by Senator S. McCoy, with the following amendments:

1. Page 1, Lines 1 through 3:

1 ELECTRONIC WASTE TASK FORCE {~~ AND~~

2 ~~MORATORIUM ON ELECTRONIC WASTE~~

3 ~~DISPOSAL~~ }

2. Page 1, Line 11:

11 This bill {~~ prohibits the disposal of electronic waste and~~ } creates the Electronic Waste

3. Page 1, Line 15:

15 ▶ {~~ prohibits the disposal of electronic waste after 2007;~~ }

4. Page 1, Line 26 through Page 2, Line 28:

26 {~~ Utah Code Sections Affected:~~ }

27 {~~ ENACTS:~~ }

28 {~~ 19-6-124, Utah Code Annotated 1953~~ }

5. Page 2, Lines 33 through 46:

33 {~~ Section 1. Section 19-6-124 is enacted to read:~~

34 ~~19-6-124. Prohibition on the disposal of electronic waste.~~

35 ~~(1) As used in this section:~~

36 ~~(a) "Electronic waste" means a system unit, cathode ray tube, flat panel screen, or other~~

37 ~~similar video display device with a screen size of greater than 4 inches measured diagonally.~~

38 ~~(b) "System unit" means:~~

39 ~~(i) the casing or portion of a computer that contains the central processing unit, which~~

~~40 performs the primary quantity of data processing; and~~

~~41 (ii) the unit that, together with the memory, forms the central part of the computer to~~

~~42 which peripheral devices may be attached.~~

~~43 (2) After July 1, 2007, a person may not place, discard, or otherwise dispose of~~

~~44 electronic waste in any nonhazardous solid waste landfill or incinerator operated by a~~

45 ~~commercial entity or a political subdivision of the state.~~ }

46 Section {~~2~~} **1** . Electronic Waste Task Force −− Creation −− Membership −− Interim rules

6. Page 3, Line 64:

64 Section {~~3~~} **2** . Duties −− Interim report.

7. Page 3, Line 73:

73 Section {~~4~~} **3** . Appropriation.

8. Page 3, Line 79:

79 Section {~~5~~} **4** . Repeal date.; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 264**, ACCEPTANCE OF R.S. 2477 RIGHTS−OF−WAY AMENDMENTS, by Representative M. Noel; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 287**, WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS, by Representative C. Buttars, be replaced and favorably

recommends **1st Sub. H.B. 287,** WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS.

Michael G. Waddoups, Chair

Mr. President: February 10, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 238**, AUTHORIZING TEMPORARY ROAD CLOSURES, by Representative M. Noel; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 283**, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, by Representative P. Painter.

Sheldon L. Killpack, Chair

Mr. President: February 10, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 188**, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, by Senator P. Hellewell, with the following amendments:

1. Page 1, Line 19:

19 Bureau of Criminal {~~Investigations~~} Identification ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 30**, EMANCIPATION OF A MINOR, by Representative R. McGee, with the following amendments:

1. Page 6, Lines 160 through 161:

160 (2) This part is not intended to interfere with the integrity of the family or to minimize

161 the rights of parents or children. As provided in Section 62A−4a−201, a parent possesses a fundamental liberty interest in the care, custody, and management of their children.; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 85**, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT, by Representative K. Gibson; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 4**, RESOLUTION SUPPORTING UTAH HIGHWAY PATROL USE OF WHITE CROSSES AS ROADSIDE MEMORIALS, by Representative P. Ray, with the following amendments:

1. Page 1, Lines 14 through 16:

14 This resolution:

15 ► expresses support for the Utah Highway Patrol's placement of white crosses , or other appropriate symbols as requested by the family, as

16 memorials to Highway Patrol Officers who have been killed in the line of duty.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 196, S.B. 209,** as amended**, S.B. 242, S.B. 258, S.B. 215,** as amended, **H.B. 264, 1st Sub. H.B. 287, H.B. 238, 1st Sub. H.B. 283, S.B. 188,** as amended, **H.B. 30,** as amended, **1st Sub. H.B. 85,** and **H.C.R. 4,** as amended, were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 10, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 48**, WATER COMPANY AMENDMENTS, by Representative D. Ure, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 4, Lines 108 through 109:

108 (10) (a) The shareholder requesting the change shall have a cause of action**,** including

109 an award of actual damages incurred, against the water company if the water company:

Michael G. Waddoups, Chair

Mr. President: February 10, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 142**, INFORMATION AVAILABLE TO SENATE JUDICIAL CONFIRMATION COMMITTEE, by Senator D. C. Buttars, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 185**, DRUG OFFENDER REFORM ACT AMENDMENTS, by Senator S. Killpack, and recommends it be considered read for the second time and placed on the Consent Calendar.

Greg Bell, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 48,** as amended, **S.B. 142** and **S.B. 185** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 199, **School Community Council Powers** (M. Madsen), read the first time by short title and referred to the Rules Committee.

S.B. 270, **Individual Income Tax Revisions** (T. Hatch), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 210, COUNTY ORDINANCE AMENDMENTS, was read the third time, explained by Senator Davis, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Jenkins	Mansell

H.B. 210 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.J.R. 2, RESOLUTION URGING CONGRESSIONAL ACTION ON THE TAX DEDUCTIBILITY OF MEDICAL EXPENSES BY INDIVIDUALS, was

read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.J.R. 2 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 261, PROPERTY TAX REVISIONS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

H.B. 261 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 265, DUE DATE FOR FILING ELECTRONICALLY FILED WITHHOLDING RETURNS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

H.B. 265 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

S.B. 177, WATER RIGHT APPLICATION AMENDMENT, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

S.B. 177 was transmitted to the House for consideration.

* * *

On motion of Senator Stephenson, the circle was removed from **2nd Sub. S.B. 33**, SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS, and it was before the Senate. Senator Stephenson explained the bill. Senators Mayne, Hillyard, and Davis commented.

On motion of Senator Stephenson, the bill was circled.

* * *

On motion of Senator Mayne, the circle was removed from **1st Sub. H.B. 219**, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION.

Senator Mayne proposed the following amendment:

1. Page 1, Lines 15 through 20
House Committee Amendments
1−20−2006

15 ► provides that the definition of a neglected child includes a minor whose parent

16 permits the minor to Ĥ➔ [~~be present~~] reside ←Ĥ , on a permanent or temporary basis, at the location of a clandestine laboratory

16a operation;

17 ► provides that there is a presumption that reunification services should not be

18 provided to a parent if the court finds, by clear and convincing evidence, that the

19 parent permitted the parent's child to Ĥ➔ [~~be present~~] reside ←Ĥ , on a permanent or temporary basis, at a location where the parent

19a knew

20 or should have known that a clandestine laboratory operation was located; and

2. Page 4, Lines 107 through 109
a. House Committee Amendments
b. 1−20−2006:

107 chapter[~~.~~]**; or**

108 (F) whose parent permits the minor to Ĥ➔ [~~be present~~] reside ←Ĥ , on a permanent or temporary basis, at the location of a

108a clandestine

109 laboratory operation.

3. Page 17, Lines 515 through 518
House Committee Amendments
1−20−2006:

515 (J) the parent permitted the child to Ĥ→ [~~be present~~] reside ←Ĥ , on a permanent or temporary basis, at a location where the

515a parent knew or

516 should have known that a clandestine laboratory operation was located; or

517 (K) any other circumstance that the court determines should preclude reunification

518 efforts or services.

Senator Mayne's motion to amend passed on a voice vote. The bill passed on the following roll call:

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

1st Sub. H.B. 219, as amended, was returned to the House for further action.

SECOND READING CALENDAR

On motion of Senator Knudson, the circle was removed from **1st Sub. S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT, and it was before the Senate. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 13, Line 381

381 (1) (a) If a petition is submitted containing a request to vacate or alter any portion of a

2. Page 13, Line 383:

383 {~~(a)~~} (i) the land use authority shall, after providing notice pursuant to local ordinance and

3. Page 13, Lines 386 through 387:

386 {~~(b)~~} (ii) the legislative body shall hold a public hearing in accordance with Section

387 10−9a−208 and determine whether good cause exists for the vacation or alteration.

(b) Subsection (1)(a)(i) does not apply if the legislative body has been designated as the land use authority.

4. Page 24, Line 733:

733 (1) (a) If a petition is submitted containing a request to vacate or alter any portion of a

5. Page 24, Line 735:

735 {~~(a)~~} (i) the land use authority shall, after providing notice pursuant to local ordinance and

6. Page 24, Line 738 through Page 25, Line 739:

738 {~~(b)~~} (ii) the legislative body shall hold a public hearing in accordance with Section

739 17−27a−208 and determine whether good cause exists for the vacation or alteration.

(b) Subsection (1)(a)(i) does not apply if the legislative body has been designated as the land use authority.

Senator Knudson's motion to amend passed on a voice vote. Senators Hatch and Thomas commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Mansell

* * *

On motion of Senator McCoy, the circle was removed from **2nd Sub. S.B. 163**, STATEMENT UNDER PENALTY OF PERJURY, and it was before the Senate. Senator McCoy explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Mansell

* * *

S.B. 52, ANTIPHISHING PROVISIONS, was read the second time. Senator Arent explained the bill. Senators Walker and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Killpack	Mansell

* * *

S.B. 135, INHERENT RISK OF SKIING AMENDMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Mansell	Stephenson

* * *

S.B. 173, LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS, was read the second time. Senator Hatch explained the bill.

Senator Arent proposed the following amendment:

1. Page 3, Line 59:
   After "office" delete "may" and insert "shall"

Senator Arent's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

* * *

S.B. 181, RESTORATION OF FELON'S RIGHT TO HOLD OFFICE, was read the second time.

On motion of Senator Hellewell, the Senate voted to strike the enacting clause on **S.B. 181.**

* * *

1st Sub. S.B. 76, LENDERS REGISTRATION ACTS AMENDMENTS, was read the second time. Senator Mayne explained the bill.

On motion of Senator Mayne, the following substitute bill replaced the original bill:

2nd Sub. S.B. 76 Lenders Registration Acts Amendments (E. Mayne)

The bill passed second reading on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Stephenson

Absent or not voting were: Senators

Buttars	Mansell

* * *

On motion of Senator Stephenson, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Stephenson, the circle was removed from **2nd Sub. S.B. 33**, SALES AND USE TAX EXEMPTIONS AND REFUND FOR CERTAIN BUSINESS INPUTS, and it was before the Senate. Senator Stephenson explained the bill. Senator Davis declared a conflict of interest. The bill passed, under suspension of the rules, on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Arent	Buttars	Mansell

2nd Sub. S.B. 33 was transmitted to the House for consideration.

TIME CERTAIN

A citation was read honoring the 75th anniversary of Hogle Zoo.

SECOND READING CALENDAR

1st Sub. S.B. 92, LICENSURE OF CRANE OPERATORS, was read the second time. Senator Davis explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	Valentine

Voting in the negative was: Senator
Stephenson

Absent or not voting were: Senators
Buttars Hale Mansell Walker

* * *

On motion of Senator Knudson, and at 11:40 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 2006

The House concurred in the Senate amendments and passed **H.B. 13**, COMMON POLLING PLACES AMENDMENTS, by Representative D. Aagard, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 14**, OPEN MEETINGS LAW AMENDMENTS, by Representative W. Harper, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 44**, LOCAL GOVERNMENT AMENDMENTS, by Representative B. Dee, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 13, 2nd Sub. H.B. 14,** and **2nd Sub. H.B. 44**, were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

* * *

Mr. President: February 13, 2006

The House passed, as amended, **H.B. 110**, AIRPORT SECURITY AMENDMENTS, by Representative G. Hughes, et al, and it is transmitted for consideration; and

The House passed **H.B. 251**, DEVELOPMENT GRANTS FOR LIBRARIES, by Representative M. Noel, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 253**, SCHOOL TRUANCY AMENDMENTS, by Representative E. Hutchings, et al, and it is transmitted for consideration; and

The House passed **H.B. 383**, VEHICLES USED FOR AGRICULTURAL PURPOSES, by Representative K. Gibson, et al, and it is transmitted for consideration; and

The House passed **H.J.R. 14**, RESOLUTION URGING STATE AGENCIES TO UPDATE REFERENCES TO MENTAL RETARDATION, by Representative D. Hogue, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 15**, JOINT RESOLUTION RAISING PUBLIC AWARENESS OF VITAL ROLE OF PARAEDUCATORS, by Representative R. Menlove, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 110, H.B. 251, H.B. 253, H.B. 383, H.J.R. 14,** and **H.J.R. 15** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 13, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

1st Sub. H.B. 65	Consumer Protection Agency (Rep. M. S. Lawrence)

Education Committee

S.B. 199	School Community Council Powers (Sen. M. Madsen)
1st Sub. H.B. 68	School Fee Waiver Amendments (Rep. L. Shurtliff)

Government Operations/Political Subdivisions Committee

1st Sub. H.B. 28	Access and Fee Amendments to Government Records Access and Management Act (Rep. D. Aagard)
H.B. 269	Human Resource Management Amendments (Rep. D. Clark)
H.B. 461	Veterans Nursing Home − Extension Bond Authorization (Rep. A. Hardy)
H.J.R. 10	Joint Rules Resolution − Disclosure of Conflict of Interest (Rep. R. Romero)

Judiciary, Law Enforcement, Criminal Justice Committee

H.B. 266	Fire Alarm System Certification Requirements (Rep. J. Murray)
1st Sub. H.B. 274	Removal of County or Prosecution District Officer Amendments (Rep. S. Wyatt)

Natural Resources, Agriculture, and Environment Committee

S.B. 228	Special Revenue Fund for Salinity Offset Program (Sen. P. Knudson)

Retirement and Independent Entities Committee

H.B. 209	Partial Lump−sum Retirement Payment Option (Rep. D. Clark)

Revenue and Taxation Committee

S.B. 270	Individual Income Tax Revisions (Sen. T. Hatch)
H.B. 291	State Tax Commission Bonding and Licensing Amendments (Rep. W. Harper)

Workforce Services and Community and Economic Development Committee

H.B. 131	Economic Development Incentives (Rep. B. Dee)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

INTRODUCTION OF BILLS

S.B. 234, **Servicing of Heating or Cooling Duct Systems** (P. Hellewell), read the first time by short title and referred to the Rules Committee.

SECOND READING CALENDAR

S.B. 168, COMMUNITY ASSOCIATION ACT AMENDMENTS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

On motion of Senator Killpack, the circle was removed from **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, and it was before the Senate. Senator Killpack explained the bill. Senators Thomas and Waddoups commented.

On motion of Senator Killpack, the bill was circled.

* * *

Senator Hillyard made a budget announcement.

* * *

On motion of Senator Killpack, the circle was removed from **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, and it was before the Senate. Senator Killpack explained the bill. Senators Mayne, Bramble, Hellewell, Goodfellow, Stephenson, Hickman, Jenkins, Dmitrich, and Madsen commented. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	McCoy	Peterson	Stephenson
Walker	Valentine		

Voting in the negative were: Senators

Davis	Goodfellow	Mayne	Thomas
Waddoups			

Absent or not voting were: Senators
Buttars Mansell

* * *

S.B. 174, IN−STATE TUITION FOR MEMBERS OF UTAH NATIONAL GUARD, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

* * *

On motion of Senator Arent, under suspension of the rules, **S.C.R. 1**, RESOLUTION ENCOURAGING SCHOOL BOARDS TO ADOPT POLICY PROHIBITING BULLYING, was considered read the second and third times. Senator Arent explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Mansell

S.C.R. 1 was transmitted to the House.

* * *

S.J.R. 9, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS, was read the second time. Senator Hellewell explained the bill. Senator McCoy commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

* * *

S.B. 79, UNIFORM DEBT−MANAGEMENT SERVICES ACT, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

S.B. 190, SHARED GOVERNMENT RECORDS AMENDMENTS, was read the second time.

On motion of Senator Dmitrich, the following substitute bill replaced the original bill.

1st Sub. S.B. 190 Shared Government Records Amendments (M. Dmitrich)

Senator Dmitrich explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Mansell

* * *

S.B. 89, SALES AND USE TAX − ATTACHMENT OF TANGIBLE PERSONAL PROPERTY TO REAL PROPERTY, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Hale	Mansell

* * *

1st Sub. S.B. 121, SMALL COLLEGE ENHANCEMENTS, was read the second time. Senator Hickman explained the bill. Senators Bell, Goodfellow, and

Hillyard commented. Senator Goodfellow declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Mansell

* * *

1st Sub. S.B. 175, CORRECTIONAL FACILITY BIDDING PROCESS, was read the second time. Senator Stephenson explained the bill. Senators McCoy, Peterson, Thomas, Waddoups, Hale, Hatch, and Hillyard commented. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Eastman	Evans
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Hale	Mayne	Peterson	

Absent or not voting were: Senators

Buttars	Christensen	Mansell

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 2006

The House passed, as amended, **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 262**, RESPIRATORY CARE AMENDMENTS, by Representative B. Last, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 12** and **H.B. 262** were read the first time and referred to the Rules Committee.

*** * ***

On motion of Senator Bell, **S.B. 195**, CHILD SUPPORT GUIDELINES, will be considered Friday, February 17, 2006 at 11:00 a.m.

*** * ***

On motion of Senator Knudson and at 4:15 p.m., the Senate adjourned until 10:00 a.m., Tuesday, February 14, 2006.

FEBRUARY 14, 2006

THIRTIETH DAY

MORNING SESSION

The Senate was called to order at 10:10 a.m., with President John Valentine presiding.

Prayer − Pastor Handi Jo Dolloff−Holt, Trinity United Methodist Church
Pledge of Allegiance − Senator Karen Hale
Roll Call − All Senators present except Senator Buttars, excused.

On motion of Senator Mayne, the words of Pastor Dolloff−Holt's prayer will be spread upon the pages of the Senate Journal.

PRAYER BY PASTOR HANDI JO DOLLOFF−HOLT

Most Gracious and Holy God, we call you by the names: Heavenly Father, Allah, Jehovah, Mother, Great Spirit. Oh God, we thank you for the diversity of our experience and in that diversity we invoke your name today. In our desire to recognize our unity in our human condition, we ask for your presence today.

I pray for these your servants, that you will fill them with humility and wisdom. Guide them by your spirit to model for our state what it means to love thy neighbor.

Together we pray for the decisions that will be made today, and those decisions made throughout the year. We pray that our state government will model for our country what it means to clothe the naked, feed the hungry, give water to the thirsty, visit those who are sick, and those who are in prison. Help each of our Senators to be bold and faithful servants, modeling for our community's stewardship of this your beautiful creation that surrounds us and for which we are responsible to provide care.

Holy God, I pray that in all things we, as religious and civic leaders, might always remember our high calling to care for the lost, the least, and the last in our communities, in our country and in our world.

Let us not forget the voice of our children who remind us to be instruments of your peace. In your Holy Name, we pray. Amen.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMITTEE OF THE WHOLE

On motion of Senator Christensen, General Kevin Sullivan, Ogden Air Logistics Center Commander spoke in Committee of the Whole.

On motion of Senator Christensen, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 2006

The House passed, as amended, **H.B. 22**, UTAH CHILD ABUSE PREVENTION BOARD, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 42**, RENEWABLE ENERGY TAX CREDIT, by Representative S. Allen, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 53**, CORPORATE FRANCHISE AND INCOME TAXES − APPORTIONMENT OF BUSINESS INCOME TO UTAH AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, by Representative W. Harper, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 76**, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, by Representative B. Daw, et al, and it is transmitted for consideration; and

The House passed **H.B. 95**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 117**, GRAMA RECORDS COMMITTEE APPEAL, by Representative C. Moss, et al, and it is transmitted for consideration; and

The House passed **H.B. 195**, CRIMINAL PROCEDURE AMENDMENT, by Representative S. Wyatt, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 248**, EXECUTIVE AND LEGISLATIVE COORDINATION ACT, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed **H.B. 323**, INDIVIDUAL INCOME TAX RATE REDUCTION, by Representative J. Ferrin, and it is transmitted for consideration; and

The House passed **H.J.R. 16**, RESOLUTION URGING CONGRESSIONAL REPEAL OF FEDERAL EXCISE TAX ON TELECOMMUNICATIONS, by Representative L. Christensen, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 22, 2nd Sub. H.B. 42, 1st Sub. H.B. 53, H.B. 76, H.B. 95, H.B. 117, H.B. 195, H.B. 248, H.B. 323,** and **H.J.R. 16** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 13, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives G. Donnelson, P. Wallace, and R. Becker to meet with a like committee from the Senate to consider or amend **H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson.

Sandy D. Tenney, Chief Clerk

Communication filed.

STANDING COMMITTEE REPORTS

Mr. President: February 13, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 107**, TITLE TO MANUFACTURED HOUSING OR MOBILE HOMES, by Senator T. Hatch, with the following amendments:

1. Page 1, Lines 14 through 19:

14 ▶ provides that a manufactured home or mobile home that has been converted to real

15 property is not subject to titling in this state if:

16 • the home is permanently affixed to real property;
• the home is not registered with the Motor Vehicle Division;

17 • the home is taxed as an improvement to real estate by the county assessor; and

18 • the manufacturer's identification {~~number is~~} numbers are included in the deed or loan document

19 recorded with the county recorder; and

2. Page 1, Line 26:

26 AMENDS:
41−1a−503, as renumbered and amended by Chapter 1, Laws of Utah 1992

3. Page 2, Line 29:

29 Be it enacted by the Legislature of the state of Utah:
Section 1. Section 41−1a−503 is amended to read:
41−1a−503. Certificate of title or Affidavit of Mobile Home Affixture required −− Application by owner.
(1) The owner of a manufactured home or mobile home shall apply to the division for a certificate of title {~~ or an Affidavit of Mobile Home Affixture~~ } unless the manufactured home or mobile home is previously registered under 41−1a−506(1).
(2) (a) An owner of a manufactured home or mobile home previously issued a certificate of title who attaches that home to real property shall apply for an Affidavit of Mobile Home Affixture within 30 days of attaching to the property.
(b) Upon application, the division shall issue an Affidavit of Mobile Home Affixture in lieu of a certificate of title.
(c) However, manufactured homes and mobile homes are not exempt from the other requirements of this part.
(3) (a) The owner of a manufactured home or mobile home previously issued an Affidavit of Mobile Home Affixture who separates that home from the real property shall apply for a certificate of title within 30 days of the separation, prior to any transfer of ownership of that home.
(b) Upon application, the division shall issue a certificate of title in lieu of an Affidavit of Mobile Home Affixture.

4. Page 2, Line 30:

30 Section {~~ **1** ~~} **2** . Section 41−1a−506 is amended to read:

5. Page 2, Lines 39 through 45:

39 (i) **(A)** an Affidavit Of Mobile Home Affixture has been issued by the division for that

40 home; and

41 [~~(ii)~~] (B) the home is permanently affixed to real property[~~.~~]; or

42 (ii) (A) the home is permanently affixed to real property;
(B) the home is not registered with the division;

43 {~~(B)~~} (C) the home is taxed as an improvement to real estate by the county assessor as permitted under Section 59−2−1503 ; and

44 {~~(C)~~} (D) the manufacturer's identification {~~number is~~} numbers are included in the deed or loan document recorded

45 with the county recorder. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 74**, ATHLETIC TRAINER LICENSING ACT, by Representative P. Ray; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 127**, LIMITED LIABILITY COMPANY AMENDMENTS, by Representative J. S. Adams; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 221**, AMBULANCE AND PARAMEDIC FEE AMENDMENTS, by Representative P. Ray; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 254**, CHILD CARE LICENSING RESTRICTIONS, by Representative M. S. Lawrence.

Scott K. Jenkins, Chair

Mr. President: February 13, 2006

The Education Committee reports a favorable recommendation on **S.B. 212**, VETERAN SURVIVOR AND DEPENDENT HIGHER EDUCATION BENEFIT, by Senator S. McCoy; and

The Education Committee reports a favorable recommendation on **H.B. 285**, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, by Representative K. Holdaway.

David L. Thomas, Chair

Mr. President: February 13, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 228**, GROUNDWATER MANAGEMENT PLAN, by Representative D. Ure, with the following amendments:

1. Page 9, Lines 250 through 254:
   (14) A groundwater management plan adopted in accordance with this section may not apply to the dewatering of a mine.

250 {~~(14)~~} (15) (a) A groundwater management plan adopted by the state engineer before May 1,

251 2006, remains in force and has the same legal effect as it had on the day on which it was

252 adopted by the state engineer.

253 (b) If a groundwater management plan that existed before May 1, 2006, is amended on

254 or after May 1, 2006, the amendment is subject to this section's provisions. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 296**, GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT, by Representative K. Gibson.

Michael G. Waddoups, Chair

Mr. President: February 13, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 267**, TRANSPORTATION CONSTRUCTION AMENDMENTS, by Representative Julie Fisher; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 293**, TRANSPORTATION − OVERSIZE AND OVERWEIGHT PERMIT, by Representative K. Gibson.

Sheldon L. Killpack, Chair

Mr. President: February 13, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 83**, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, by Representative Julie Fisher; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 102**, SENTENCING FOR FIRST DEGREE FELONY MURDER, by Representative L. Fowlke; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 125**, STATE LONG−TERM CARE FOR INMATES, by Representative J. Biskupski; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 244**, AGGRAVATED ASSAULT BY PRISONERS AMENDMENT, by Representative S. Wyatt; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 274**, REMOVAL OF COUNTY OR PROSECUTION DISTRICT OFFICER AMENDMENTS, by Representative S. Wyatt.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 107,** as amended, **H.B. 74, H.B. 127, H.B. 221, 1st Sub. H.B. 254, S.B. 212, H.B. 285, H.B. 228,** as amended, **H.B. 296, H.B. 267, H.B. 293, H.B. 83, H.B. 102, H.B. 125, H.B. 244,** and **1st Sub. H.B. 274** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 13, 2006

The Business and Labor Committee reports a favorable recommendation on **H.B. 272**, INSURANCE LAW AMENDMENTS, by Representative T. Kiser, and

recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 13, 2006

The Education Committee reports a favorable recommendation on **H.B. 289**, UTAH EDUCATION NETWORK AMENDMENTS, by Representative K. Holdaway, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 2, Lines 41 through 45
House Committee Amendments
1−25−2006:

41 (3) Distribution services provided through the center shall include KUED [~~Channel 7,~~

42 ~~KULC Channel 9~~] − TV, KUER − FM [~~90, the statewide two−way interactive system for video~~

43 ~~and audio, hereafter referred to as EDNET, Instructional Television Fixed Service, hereafter~~

44 ~~referred to as ITFS, educational data communications network facilities, hereafter referred to as~~

45 ~~UtahLink, and satellite uplink and downlink services~~], and {~~the Utah Education Network~~} KUEN − TV .

David L. Thomas, Chair

Mr. President: February 13, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 370**, TRANSPORTATION PLANNING AMENDMENTS, by Representative B. Dee, and recommends it be considered read for the second time and placed on the Consent Calendar.

Sheldon L. Killpack, Chair

Mr. President: February 13, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 227**, UNDERAGE TATTOOING PENALTY AMENDMENT, by Representative D. Ure, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 306**, PRIVATE PROBATION PROVIDER AMENDMENT, by Representative L. Fowlke, and recommends it be considered read for the second time and placed on the Consent Calendar.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 272, H.B. 289,** as amended, **H.B. 370, H.B. 227,** and **H.B. 306** were considered read the second time and placed on the Consent Calendar.

* * *

Mr. President: February 14, 2006

The Joint Conference Committee comprised of Sens. Hellewell, Christensen, and Fife, and Reps. Donnelson, Wallace, and Becker, recommends **H.B. 16,** REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, be replaced and favorably recommends **2nd Sub. H.B. 16,** REVISIONS TO OPEN AND PUBLIC MEETINGS LAW.

Sen. Hellewell and
Rep. Donnelson, Chairs

On motion of Senator Hellewell, the Senate voted to adopt the Conference Committee report to **2nd Sub. H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Mansell	Walker

2nd Sub. H.B. 16 was returned to the House for further action.

INTRODUCTION OF BILLS

S.B. 221, **Levies for the Assessment and Collection of Property Taxes** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

S.B. 247, **Hill Air Force Base Museum Funding** (A. Christensen), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 308, INSURANCE POLICY AND CONTRACT LAW AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Walker

H.B. 308 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 27, DIVORCE EDUCATION AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins

Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Peterson

H.B. 27 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 37, PUBLIC ASSISTANCE AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Buttars	Peterson

H.B. 37 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 105, MEDICAID GENERIC DRUG REIMBURSEMENT AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Buttars

H.B. 105 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.C.R. 2, RESOLUTION PROMOTING UTAH'S LEGISLATORS BACK TO SCHOOL PROGRAM, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Buttars

H.C.R. 2 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 73, K. GUNN MCKAY HIGHWAY DESIGNATION, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

H.B. 73 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 184, CRIMINAL IDENTITY FRAUD AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard

S.B. 184 was transmitted to the House for consideration.

* * *

S.B. 186, REVOCATION OF DEATH BENEFITS BY DIVORCE, was read the third time, explained by Senator Hale, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch

Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 186 was transmitted to the House for consideration.

THIRD READING CALENDAR

1st Sub. S.B. 127, VACATING OR CHANGING A SUBDIVISION PLAT, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

1st Sub. S.B. 127 was transmitted to the House for consideration.

* * *

2nd Sub. S.B. 163, STATEMENT UNDER PENALTY OF PERJURY, was read the third time, explained by Senator McCoy, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars

2nd Sub. S.B. 163 was transmitted to the House for consideration.

* * *

S.B. 52, ANTIPHISHING PROVISIONS, was read the third time and explained by Senator Arent.

On motion of Senator Arent, the bill was circled.

* * *

S.B. 135, INHERENT RISK OF SKIING AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

S.B. 135 was transmitted to the House for consideration.

* * *

S.B. 173, LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Madsen

S.B. 173 was transmitted to the House for consideration.

* * *

On motion of Senator Hatch, the Senate voted to reconsider its action on **S.B. 173**.

On motion of Senator Hatch **S.B. 173** was placed at the top of the Third Reading Calendar.

S.B. 173, LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS, was before the Senate and explained by Senator Hatch.

Senator Hatch proposed the following amendment:

1. Page 1, Line 23:
   After “office” delete “may” and insert “shall”

Senator Hatch’s motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Madsen

S.B. 173, as amended, was transmitted to the House.

* * *

2nd Sub. S.B. 76, LENDERS REGISTRATION ACTS AMENDMENTS, was read the third time and explained by Senator Mayne. Senators Stephenson, Bramble, Thomas, Hellewell, and McCoy commented and the bill passed on the following roll call:

Yeas, 15; Nays, 12; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hillyard	Knudson
Mayne	McCoy	Walker	

Voting in the negative were: Senators

Bramble	Hatch	Hellewell	Jenkins
Killpack	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators
Buttars Hickman

2nd Sub. S.B. 76 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 92, LICENSURE OF CRANE OPERATORS, was read the third time, explained by Senator Davis, and passed on the following roll call:

Yeas, 17; Nays, 9; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hillyard
Knudson	Mansell	Mayne	McCoy
Walker			

Voting in the negative were: Senators

Hatch	Jenkins	Killpack	Madsen
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Hickman

1st Sub. S.B. 92 was transmitted to the House for consideration.

* * *

S.B. 168, COMMUNITY ASSOCIATION ACT AMENDMENTS, was read the third time and explained by Senator Waddoups.

Senator Waddoups proposed the following amendment:

1. Page 2, Line 30

30 (1) {~~If authorized in the association's governing documents~~} Unless otherwise provided in the association's governing documents , the board of a homeowner

2. Page 2, Lines 37 through 44:

37 (3) (a) A fine assessed under Subsection (1) shall:

38 (i) be made only for a violation of a rule , covenant, condition, or restriction that is specifically listed in the association's

39 governing documents {~~as an offense that is subject to a fine~~} ;

40 (ii) be in the amount specifically provided for in the association's governing documents

41 for that specific type of violation or in an amount commensurate with the nature of the violation ; and

42 (iii) accrue interest and late fees as provided in the association's governing documents.

43 (b) Unpaid fines may be collected as an unpaid assessment as set forth in the

44 association's governing documents or in this chapter.

3. Page 2, Lines 45 through 46:

45 (4) (a) A lot owner who is assessed a fine under Subsection (1) may request an

46 informal hearing to protest or dispute the fine within {~~30~~} 10 days from the date the fine is assessed.

Senator Waddoups' motion to amend passed on a voice vote. Senator McCoy commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hickman

S.B. 168, as amended, was transmitted to the House for consideration.

* * *

S.B. 80, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, was read the third time and explained by Senator Killpack.

Senator Killpack proposed the following amendment:

1. Page 1, Line 11

   11 This bill modifies the {~~Motor Vehicles Code,~~} Revenue and Taxation Code, Utah

2. Page 2, Line 36:

   36 " requires the Transportation Commission to {~~makes~~} make rules setting any increases of tolls

3. Page 10, Line 291:

   291 (xi) any combination of Subsections {~~(1)~~} (5) (b)(i) through (x).

Senator Killpack's motion to amend passed on a voice vote.

# # #

Senator Mayne proposed the following amendment:

1. Page 1, Line 11

   11 This bill modifies the {~~Motor Vehicles Code,~~} Revenue and Taxation Code, Utah

2. Page 2, Line 36:

   36 ▶ requires the Transportation Commission to {~~makes~~} make rules setting any increases of tolls

3. Page 9, Line 273 through Page 10, Line 276:

   (2) "Private entity" means a corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity that is domiciled in the United States .

   273 {~~(2)~~} (3) "Toll" has the same meaning as defined in Section 72−6−118.

   274 {~~(3)~~} (4) "Toll lane" has the same meaning as defined in Section 72−6−118.

   275 {~~(4)~~} (5) "Tollway" has the same meaning as defined in Section 72−6−118.

   276 {~~(5)~~} (6) (a) "Tollway development agreement" means a contractual agreement with a public

4. Page 10, Line 291:

   291 (xi) any combination of Subsections {~~(1)~~} (6) (b)(i) through (x).

Senator Mayne's motion to amend failed on the following roll call:

Yeas, 10; Nays, 17; Absent, 2.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy
Thomas	Waddoups		

Voting in the negative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Peterson	Stephenson	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hickman

Senators Waddoups, Thomas, and Goodfellow commented and the bill passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Walker	Valentine	

Voting in the negative were: Senators

Davis	Goodfellow	Jenkins	Mayne
McCoy	Thomas	Waddoups	

Absent or not voting were: Senators

Buttars	Hickman	Hillyard

S.B. 80 , as amended, was transmitted to the House for consideration.

* * *

S.B. 174, IN−STATE TUITION FOR MEMBERS OF UTAH NATIONAL GUARD, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack

Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hickman

S.B. 174 was transmitted to the House for consideration.

* * *

S.J.R. 9, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS, was read the third time and explained by Senator Hellewell.

Senator McCoy proposed the following amendment:

1. Page 2, Line 45b:
   Senate Committee Amendments
   2−6−2006
   After "teachers are" delete "in no way" and insert "generally not"

Senator McCoy's motion to amend failed on a voice vote. Senator Arent commented and the bill passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative was: Senator
McCoy

Absent or not voting were: Senators

Buttars	Hickman	Hillyard

S.J.R. 9 was transmitted to the House for consideration.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 14, 2006

The House passed, **S.B. 46**, UTAH COAL REGULATOR PROGRAM AMENDMENTS, by Senator M. Dmitrich, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 65**, WILDLAND FIRE SUPPRESSION AMENDMENTS, by Senator D. Thomas, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 101**, COUNTY ASSISTANCE TO NONPROFIT ENTITIES, by Senator D. Thomas, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 172**, VITAL STATISTICS ACT AMENDMENTS, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 46, S.B. 65, S.B. 101, and **S.B. 172** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 13, 2006

The House passed, as substituted and amended, **1st Sub. H.B. 132**, LOCAL LAND USE REQUIREMENTS, by Representative M. Morley, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communication filed. **1st Sub. H.B. 132** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:55 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 14, 2006

The House concurred in the Senate amendments and passed **H.B. 63**, PROBATE CODE AMENDMENTS REGARDING HOMICIDE, by Representative K. Morgan, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 219**, CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION, by Representative E. Hutchings, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed.

H.B. 63 and **1st Sub. H.B. 219**, were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 14, 2006

The House passed, as substituted and amended, **2nd Sub. H.B. 94**, BAN ON GIFTS TO ELECTED OFFICIALS, by Representative P. Jones, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 112**, TRANSPORTATION INVESTMENT ACT, by Representative R. Lockhart, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 240**, PUBLIC SAFETY RETIREMENT REVISIONS, by Representative D. Clark, and it is transmitted for consideration; and

The House passed **H.B. 348**, ELECTION CODE − ELECTRONIC VOTING PROCEDURES AND REQUIREMENTS, by Representative D. Aagard, et al, and it is transmitted for consideration; and

The House passed **H.B. 352**, STATE BUDGET PROVISIONS, by Representative M. Dayton, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 94, 1st Sub. H.B. 112, 1st Sub. H.B. 240, H.B. 348,** and **H.B. 352** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 14, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

S.B. 234	Servicing of Heating or Cooling Duct Systems (Sen. P. Hellewell)

Education Committee

H.J.R. 15	Joint Resolution Raising Public Awareness of Vital Role of Paraeducators (Rep. R. Menlove)

Government Operations/Political Subdivisions Committee

H.B. 12	Amendments to Government Records Access and Management Act (Rep. D. Aagard)
H.B. 76	High Deductible Health Plan Option for Public Employees (Rep. B. Daw)

Health and Human Services Committee

H.B. 22	Utah Child Abuse Prevention Board (Rep. P. Ray)
H.B. 262	Respiratory Care Amendments (Rep. B. Last)

Judiciary, Law Enforcement, Criminal Justice Committee

H.B. 110	Airport Security Amendments (Rep. G. Hughes)
H.B. 195	Criminal Procedure Amendment (Rep. S. Wyatt)

Natural Resources, Agriculture, and Environment Committee

H.B. 383	Vehicles Used for Agricultural Purposes (Rep. K. Gibson)

Revenue and Taxation Committee

S.B. 221	Levies for the Assessment and Collection of Property Taxes (Sen. H. Stephenson)

2nd Sub. H.B. 42	Renewable Energy Tax Credit (Rep. S. Allen)
1st Sub. H.B. 53	Corporate Franchise and Income Taxes − Apportionment of Business Income to Utah and Deduction of Net Losses by a Unitary Group (Rep. W. Harper)
H.B. 323	Individual Income Tax Rate Reduction (Rep. J. Ferrin)
H.J.R. 16	Resolution Urging Congressional Repeal of Federal Excise Tax on Telecommunications (Rep. L. Christensen)

Workforce Services and Community and Economic Development Committee

H.B. 251	Development Grants for Libraries (Rep. M. Noel)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

On motion of Senator Waddoups **H.B. 97** was lifted from Workforce Services and Community and Economic Development Committee and placed in the Natural Resources, Agriculture, and Environment Committee.

* * *

On motion of Senator Waddoups **1st Sub. H.B. 112** was lifted from Rules and placed at the top of the Second Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Hellewell, the circle was removed from **H.B. 15**, EARLY VOTING.

Senator Hellewell proposed the following amendment:

1. Page , Line 59 through Page 3, Line 60

   59 Other Special Clauses:

   60 {~~None~~} This bill coordinates with H.B. 348 by substantively modifying language.

   This bill coordinates with S.B. 10 by substantively modifying language.

2. Page 11, Lines 312 through 313:

312 (b) two forms of identification that bear the name {~~and current address~~} of the voter

313 and provide evidence that the voter resides in the voting precinct, which may include:

3. Page 11, Lines 325 through 327:

325 (xii) a certified copy of court records showing the voter's adoption or name change; {~~or~~}

326 (xiii) a Bureau of Indian Affairs card;
(xiv) a tribal treaty card;
(xv) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card; or
(xvi) a form of identification listed in Subsection (76)(a) that does not contain a

327 photograph, but establishes the name of the voter and {~~current address of~~} provides evidence that the voter resides in the voting precinct .

4. Page 49, Line 1504: After line 1504 insert:

Section 34. Coordinating H.B. 15 with H.B. 348 −− Substantive and technical changes.
If this H.B. 15 and H.B. 348, Election Code − Electronic Voting Procedures and Requirements, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication:
(1) change the language in Subsection 20A−3−104(1)(b) from "election judges" to "poll workers":
(2) modify Subsection 20A−3−104.5(1) to read as follows:
"(1) (a) Any registered voter desiring to vote at the regular primary election shall give his name, the name of the registered political party whose ballot the voter wishes to vote, and, if requested, his residence, to one of the [~~election judges~~] poll workers .
(b) [~~If an election judge~~] The voter shall present valid voter identification to one of the poll workers if the voter is:
(i) required to present valid voter identification as indicated by a notation in the official register;
(ii) is voting in person by absentee ballot; or
(iii) is voting during the early voting period.

"(1) (a) Any registered voter desiring to vote at the Western States

Presidential Primary shall give his name, the name of the registered political party whose ballot the voter wishes to vote, and, if requested, his residence, to one of the [~~election judges~~] poll workers .
(b) [~~If an election judge~~] The voter shall present valid voter identification to one of the poll workers if the voter is:
(i) required to present valid voter identification as indicated by a notation in the official register;
(ii) voting in person by absentee ballot; or
(iii) voting during the early voting period prior to the date of the election.
(c) If a voter is not required to present valid voter identification under Subsection (1)(b), and the poll worker does not know the [~~person~~] voter requesting a ballot and has reason to doubt that [~~person's~~] voter's identity, the [~~judge~~] poll worker shall:
(i) request that the voter present valid voter identification; or
(ii) have the voter identified by a known registered voter of the district.
[~~(c) If the voter is challenged as provided in Section 20A−3−202, the judge shall provide a ballot to the voter if the voter takes an oath that the grounds of the challenge are false.~~]"
(3) change the language in Subsection 20A−5−401 (1)(d)(ii) to read as follows:
"(ii) an entry field for the poll worker to record the type of identification provided by the voter;" ; and
(4) modify Subsection 20A−9−808(1) to read as follows:
(1) (a) Any registered voter desiring to vote at the Western States Presidential Primary shall give his name, the name of the registered political party whose ballot the voter wishes to vote, and, if requested, his residence, to one of the [~~election judges~~] poll workers.
(b) [~~If an election judge~~] The voter shall present valid voter identification to one of the poll workers if the voter is:
(i) required to present valid voter identification as indicated by a notation in the official register;
(ii) voting in person by absentee ballot; or
(iii) voting during the early voting period prior to the date of the election.
(c) If a voter is not required to present valid voter identification under Subsection (1) (b), and the poll worker does not know the [~~person~~] voter requesting a ballot and has reason to doubt that [~~person's~~] voter's identity, the [~~judge~~] poll worker shall:
(i) request that the voter present valid voter identification; or
(ii) have the voter identified by a known registered voter of the district.

[~~(c) If the person's right to vote is challenged as provided in Section 20A−3−202, the judge~~]
(d) The poll worker shall follow the procedures and requirements of Section 20A−3−105.5[~~.~~] if:
(i) the voter's right to vote is challenged under Section 20A−3−202; or
(ii) the poll worker is not satisfied that the voter has been properly identified."

Section 35. Coordinating H.B. 15 with S.B. 10 −− Substantive and technical changes.
If this H.B. 15 and S.B. 10, Provisional Ballot Amendments, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication:
(1) modify Subsection 20A−3−104.5(1) to read as follows:
"(1) (a) Any registered voter desiring to vote at the regular primary election shall give his name, the name of the registered political party whose ballot the voter wishes to vote, and, if requested, his residence, to one of the [~~election judges~~] poll workers .
(b) [~~If an election judge~~] The voter shall present valid voter identification to one of the poll workers if the voter is:
(i) required to present valid voter identification as indicated by a notation in the official register;
(ii) is voting in person by absentee ballot; or
(iii) is voting during the early voting period.
(c) If a voter is not required to present valid voter identification under Subsection (1)(b), and the poll worker does not know the [~~person~~] voter requesting a ballot and has reason to doubt that [~~person's~~] voter's identity, the [~~judge~~] poll worker shall:
(i) request that the voter present valid voter identification; or
(ii) have the voter identified by a known registered voter of the district.
(d) The poll worker shall follow the procedures and requirements of Section 20A−3−105.5 if:
(i) the poll worker is not satisfied that the voter has been properly identified; or
(ii) the voter's right to vote is challenged under Section 20A−3−202.
[~~(e) If the voter is challenged as provided in Section 20A−3−202, the judge shall provide a ballot to the voter if the voter takes an oath that the grounds of the challenge are false.~~]"; and
(2) modify Subsection 20A−3−105.5(1)(c) to read as follows:

"(c) the poll worker is not satisfied that the voter has provided valid voter identification."

Senator Hellewell's motion to amend passed on a voice vote. Senators Evans, Stephenson, and McCoy commented and the bill failed on the following roll call:

Yeas, 9; Nays, 18; Absent, 2.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Hellewell	Mayne
McCoy			

Voting in the negative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard

H.B. 15 was returned to the House.

* * *

S.B. 79, UNIFORM DEBT−MANAGEMENT SERVICES ACT, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

1st Sub. S.B. 190, SHARED GOVERNMENT RECORDS AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch

Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Hillyard

1st Sub. S.B. 190 was transmitted to the House for consideration.

* * *

S.B. 89, SALES AND USE TAX − ATTACHMENT OF TANGIBLE PERSONAL PROPERTY TO REAL PROPERTY, was read the third time and explained by Senator Stephenson. Senators Thomas and Mansell commented and the bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators
Buttars Eastman Hillyard

S.B. 89 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 121, SMALL COLLEGE ENHANCEMENTS, was read the third time and explained by Senator Hickman.

Senator Bell proposed the following amendment:

1. Page 1, Lines 13 through 15

13 ► appropriates <u>, with the approval of the State Board of Regents,</u> monies to Weber State University, Southern Utah University, Snow

14 College, Dixie State College of Utah, the College of Eastern Utah, Utah Valley

15 State College, and Salt Lake Community College to:

2. Page 2, Lines 31 through 34:

31 As an ongoing appropriation subject to future budget constraints and the approval of the State Board of Regents in accordance with the provisions of Section 53B−16−102 , there is appropriated

32 from the General Fund for fiscal year 2006−07, $11,475,000 to the following institutions within

33 the State System of Higher Education to expand current degree programs, establish new degree

34 programs, or hire additional personnel:

Senator Bell's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard

1st Sub. S.B. 121 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 175, CORRECTIONAL FACILITY BIDDING PROCESS, was read the third time.

On motion of Senator Stephenson, the bill was circled.

SECOND READING CALENDAR

S.B. 192, EXEMPTIONS TO RESIDENTIAL PROPERTY TAX, was read the second time.

On motion of Senator Mayne, the bill was circled.

* * *

S.J.R. 7, JOINT RULES RESOLUTION AMENDING LEGISLATIVE EXPENSES, was read the second time.

On motion of Senator Bell, the bill was circled.

* * *

S.B. 160, PHYSICIAN LICENSING AMENDMENTS, was read the second time. Senator Evans explained the bill. Senators Arent, Valentine, and Christensen commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Waddoups

* * *

S.B. 213, CLARIFICATIONS TO GUARDIAN AD LITEM, was read the second time.

Senator Eastman proposed the following amendment:

1. Page 1, Lines 20 through 21

20 Other Special Clauses:

21 {~~None~~} This bill coordinates with HB 103, Changes to Definitions of a Child and a Minor by providing superseding and technical amendments.

2. Page 3, Lines 84 through 89:

84 [~~(l)~~] (k) personally or through a trained volunteer, paralegal, or other trained staff,

85 monitor implementation of a {~~[~~} minor's child and family {~~]~~} {~~child's treatment~~} plan and any

86 dispositional orders to[~~: (i)~~] determine whether services ordered by the court[~~: (A)~~] are actually

87 provided[~~; and (B)~~], are provided in a timely manner[~~; and (ii)~~], and attempt to assess whether

88 [~~services ordered by the court~~] they are accomplishing [~~the~~] their intended goal [~~of the~~

89 ~~services~~].

3. Page 9, After Line 267, insert:

Section 3. Coordinating S.B. 213 with H.B. 103 -- Superseding and technical amendments.

If this S.B. 213, Clarifications to Guardian Ad Litem, and H.B. 103, Changes to Definitions of a Child and a Minor, both pass, it is the intent of the Legislature that Section 78-3a-912 be modified to read as follows:

78-3a-912. Appointment of attorney guardian ad litem -- Duties and responsibilities -- Training -- Trained staff and court-appointed special advocate volunteers -- Costs -- Immunity -- Annual report.

(1) [~~**(a)**~~] The court[~~**: (i)**~~]may appoint an attorney guardian ad litem to represent the best interest of a minor involved in any case before the court[~~**;**~~] and [~~**(ii)**~~]shall consider **only** the best interest of a minor[~~, consistent with the provisions of Section 62A-4a-201,~~] in determining whether to appoint a guardian ad litem.

[~~(b) In all cases where an attorney guardian ad litem is appointed, the court shall make a finding that establishes the necessity of the appointment.~~]

(2) An attorney guardian ad litem shall be appointed to represent the best interest of each [~~minor~~] child who may become the subject of a petition alleging abuse, neglect, or dependency, from the [~~earlier of~~] date the [~~day that: (a) the minor~~] child is removed from the [~~minor's~~] child's home by the division[~~;~~], or [~~(b)~~] the date the petition is filed, whichever occurs earlier.

(3) The Office of the Guardian Ad Litem Director, through an attorney guardian ad litem, shall:

(a) represent the best interest of the minor in all proceedings;

(b) [~~prior to representing any minor before the court,~~] be trained in[~~: (i)~~]applicable statutory, regulatory, [~~and~~] case law[~~;~~], and the curriculum established by the Office of the Guardian Ad Litem for representation of minors prior to representing any minor before the court;

[~~(ii)accordance with the United States Department of Justice National Court Appointed Special Advocate Association guidelines;~~]

(c) conduct or supervise an independent investigation in order to obtain first−hand, a clear understanding of the situation and needs of the minor;

(d)(i) personally meet with the minor;

(ii) personally**,** or through a trained staff, interview the minor if the minor is old enough to communicate; and

(iii) determine the minor's goals and concerns regarding placement[~~; and~~] when the minor is capable of expressing goals and desires, and when the guardian ad litem determines it would not be harmful to the minor to ask questions concerning the minor's desires relating to placement;

[~~(iv) personally assess or supervise an assessment of the appropriateness and safety of the minor's environment in each placement;~~]

(e) file written motions, responses, or objections at all stages of a proceeding when necessary to protect the best interest of a minor;

(f) personally or through a trained volunteer, paralegal, or other trained staff, attend all administrative and foster care citizen review board hearings pertaining to the minor's case;

(g) participate in all appeals unless excused by order of the court;

(h) be familiar with local experts who can provide consultation and testimony regarding the reasonableness and appropriateness of efforts made by the Division of Child and Family Services to[~~: (i)~~] maintain a minor in the minor's home[~~;~~] or [~~(ii)~~] to reunify a [~~minor~~] child with the [~~minor's~~] child's parent;

(i) to the extent possible, and unless it would be detrimental to the minor, personally or through a trained volunteer, paralegal, or other trained staff, keep the minor advised of[~~: (i)~~] the status of the minor's case;

[~~(ii) all court and administrative proceedings;~~

~~(iii) discussions with and proposals made by other parties;~~

~~(iv) court action; and~~

~~(v) the psychiatric, medical, or other treatment or diagnostic services that are to be provided to the minor;~~]

(j) review proposed orders for, and as requested by the court [~~; (k)~~], prepare proposed orders with clear and specific directions regarding services, treatment, and evaluation, assessment, and protection of the minor and the minor's family; and

[~~(l)~~] (k) personally or through a trained volunteer, paralegal, or other trained staff, monitor implementation of a minor's child and family plan and any dispositional orders to [~~: (i)~~] determine whether services ordered by the court [~~: (A)~~] are actually provided [~~; and (B)~~], are provided in a timely manner [~~; and (ii)~~], and attempt to assess whether [~~services ordered by the court~~] they are accomplishing [~~the~~] their intended goal [~~of the services~~].

(4)(a) [~~Consistent with this Subsection (4), an~~] An attorney guardian ad litem may use trained volunteers, in accordance with Title 67, Chapter 20, Volunteer Government Workers Act, trained paralegals, and other trained staff to assist in investigation and preparation of information regarding the cases of individual minors before the court. [~~(b)The~~] An attorney guardian ad litem [~~described in Subsection (4)(a)~~] may not, however, delegate the attorney's responsibilities described in Subsection (3).

[~~(c)~~] (b) All volunteers, paralegals, and staff utilized pursuant to this section shall be trained in and follow, at a minimum, the guidelines established by the United States Department of Justice Court Appointed Special Advocate Association.

[~~(d)~~] (c) The court may use volunteers trained in accordance with the requirements of Subsection (4)[~~**(c)**~~]**(b)** to assist in investigation and preparation of information regarding the cases of individual minors within the jurisdiction.

[~~(e)~~] (d) When possible and appropriate, the court may use a volunteer who is a peer of the minor appearing before the court, in order to provide assistance to that minor, under the supervision of an attorney guardian ad litem or the attorney's trained volunteer, paralegal, or other trained staff.

(5) The attorney guardian ad litem shall continue to represent the best interest of the minor until released from [~~that duty~~] duties by the court.

(6)(a) [~~Consistent with Subsection (6)(b), the~~] The juvenile court is responsible for[~~: (i)~~] all costs resulting from the appointment of an attorney guardian ad litem[~~;~~] and [~~(ii)~~] the costs of volunteer, paralegal, and other staff appointment and training[~~. (b)The court~~], and shall use funds appropriated by the Legislature for the guardian ad litem program to cover [~~the~~] those costs [~~described in Subsection (6)(a)~~].

[~~(c)~~] (b)(i) When the court appoints an attorney guardian ad litem under

this section, the court may assess all or part of the attorney's fees, court costs, and paralegal, staff, and volunteer expenses against the [~~minor's~~] child's parents, parent, or legal guardian in a proportion that the court determines to be just and appropriate.

(ii) The court may not assess those fees or costs against[~~: (A)~~]a legal guardian, when that guardian is the state[~~;~~], or [~~(B)consistent with Subsection (6)(d),~~] against a parent who is found to be impecunious. [~~(d)For purposes of Subsection (6)(c)(ii)(B), if~~] If a person claims to be impecunious, the court shall[~~: (i)~~]require of that person [~~to submit~~]an affidavit of impecuniosity as provided in Section 78−7−36[~~;~~] and [~~(ii)~~]follow the procedures and make the determinations as provided in Section [~~78−7−37~~] 78−7−36.

(7) An attorney guardian ad litem appointed under this section, when serving in the scope of the attorney guardian ad litem's duties as guardian ad litem is considered an employee of the state for purposes of indemnification under Title 63, Chapter 30d, Utah Governmental Immunity Act[~~of Utah~~].

(8)(a) An attorney guardian ad litem shall represent the best interest of a minor.

[~~(b)~~]If the minor's wishes differ from the attorney's determination of the minor's best interest, the attorney guardian ad litem shall communicate the minor's wishes to the court in addition to presenting the attorney's determination of the minor's best interest. [~~(c)~~] A difference between the minor's wishes and the attorney's determination of best interest may not be considered a conflict of interest for the attorney.

[~~(d)~~] (b) The court may appoint one attorney guardian ad litem to represent the best interests of more than one [~~minor~~] child of a marriage.

(9) An attorney guardian ad litem shall be provided access to all Division of Child and Family Services records regarding the minor at issue and the minor's family.

(10) An attorney guardian ad litem shall maintain current and accurate records regarding:

(a) the number of times the attorney has had contact with each minor; and

(b) the actions the attorney has taken in representation of the minor's best interest.

(11)(a) Except as provided in Subsection (11)(b), all records of an attorney guardian ad litem are confidential and may not be released or made public upon subpoena, search warrant, discovery proceedings, or

otherwise. This subsection supersedes Title 63, Chapter 2, Government Records Access and Management Act.
(b)[~~Consistent with Subsection (11)(d), all~~] All records of an attorney guardian ad litem:
(i) are subject to legislative subpoena, under Title 36, Chapter 14, Legislative Subpoena Powers; and
(ii) shall be released to the Legislature.
(c) [~~(i)Except as provided in Subsection (11)(c)(ii), records~~] Records released in accordance with Subsection (11)(b) shall be maintained as confidential by the Legislature. [~~(ii)Notwithstanding Subsection (11)(c)(i), the~~] The Office of the Legislative Auditor General may, however, include summary data and nonidentifying information in its audits and reports to the Legislature.
(d)[~~(i)Subsection (11)(b)~~] Because of the unique role of an attorney guardian ad litem described in Subsection (8)(a), and the state's role and responsibility to provide a guardian ad litem program and, as parens patriae, to protect children, Subsection (8)(a) constitutes an exception to Rules of Professional Conduct, Rule 1.6, as provided by Rule 1.6(b)(4)[~~, because of: (A)the unique role of an attorney guardian ad litem described in Subsection (8); and (B)the state's role and responsibility: (I)to provide a guardian ad litem program; and (II)as parens patriae, to protect minors~~]. [~~(ii)~~]A claim of attorney−client privilege does not bar access to the records of an attorney guardian ad litem by the Legislature, through legislative subpoena.
(e) The Office of the Guardian Ad Litem shall present an annual report to the Child Welfare Legislative Oversight Panel detailing:
(i) the development, policy, and management of the statewide guardian ad litem program;
(ii) the training and evaluation of attorney guardians ad litem and volunteers; and
(iii) the number of [~~children~~] minors served by the Office of the Guardian Ad Litem.

Senator Eastman's motion to amend passed on a voice vote. Senator Eastman explained the bill. Senator Thomas commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Davis	Hillyard	Waddoups

* * *

S.B. 226, REGISTRATION AND TITLE PROVISIONS, was read the second time. Senator Eastman explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard

* * *

S.B. 207, PRESUMPTIVE PERSONAL REPRESENTATIVE, was read the second time. Senator Bell explained the bill. Senator Hatch commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Hillyard
Peterson			

* * *

S.B. 60, WESTERN STATES PRESIDENTIAL PRIMARY, was read the second time. Senator Knudson explained the bill. Senators Hellewell, Waddoups, Thomas, and Mayne commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Voting in the negative was: Senator

Waddoups

Absent or not voting were: Senators

Buttars	Hillyard

* * *

1st Sub. S.B. 85, STATE−OWNED ART COLLECTIONS INVENTORY PROGRAM, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Killpack

* * *

S.B. 178, STATE EXECUTIVE COMPENSATION − DEPARTMENT OF HEALTH, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Killpack

* * *

S.B. 200, VOTER REGISTRATION − PROOF OF CITIZENSHIP, was read the second time.

On motion of Senator Madsen, the bill was circled.

* * *

S.B. 214, OFFICE OF STATE DEBT COLLECTION AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Killpack

* * *

S.B. 229, CIVIL SERVICE COMMISSIONS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 9; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mansell	Peterson	Stephenson	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy
Thomas			

Absent or not voting were: Senators
Buttars Killpack

* * *

On motion of Senator Hickman the Senate voted to lift **S.B. 90**, HOMEOWNERS ASSOCIATION PROVISIONS, from the Second Reading Calendar and return the bill to Rules.

* * *

On motion of Senator Knudson and at 4:00 p.m., the Senate adjourned until 9:30 a.m., Wednesday, February 15, 2006.

FEBRUARY 15, 2006

THIRTY−FIRST DAY

MORNING SESSION

The Senate was called to order at 9:45 a.m., with President John Valentine presiding.

Prayer − Reverend Lee Shaw, St. Stephen Episcopal Church
Pledge of Allegiance − Senator Mike Dmitrich
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 2006

The House passed, as substituted, **1st Sub. H.B. 100**, ENVIRONMENTAL LITIGATION BOND, by Representative A. Tilton, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 130**, ADOPTION AMENDMENTS, by Representative A. Hardy, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 169**, DRIVER LICENSE RECORDS ACCESS AMENDMENTS, by Representative D. Aagard, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 294**, CREATION OF EDUCATION FUND, by Representative J. Alexander, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 295**, CHILD SUPPORT AMENDMENTS, by Representative L. Fowlke, et al, and it is transmitted for consideration; and

The House passed **H.B. 304**, VOIDING TRANSACTIONS AGAINST PUBLIC POLICY, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 316**, ADMINISTRATIVE RULES PROCEDURE AMENDMENTS, by Representative D. Ure, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. HB. 100, H.B. 130, H.B. 169, H.B. 294, H.B. 295, H.B. 304,** and **H.B. 316** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 14, 2006

The Education Committee reports a favorable recommendation on **1st Sub. H.B. 68**, SCHOOL FEE WAIVER AMENDMENTS, by Representative L. Shurtliff.

David L. Thomas, Chair

Mr. President: February 14, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 6**, UTILITY IMPROVEMENT DISTRICTS REVISIONS, by Representative D. Ure; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 80**, ENERGY SAVINGS IN STATE BUILDINGS, by Representative F. Hunsaker; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 123**, DISASTER RESPONSE AND RECOVERY ACT, by Representative J. S. Adams; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 260**, STATE OFFICE OF

REHABILITATION − BUDGET RECOMMENDATIONS, by Representative B. Last.

Parley G. Hellewell, Chair

Mr. President: February 14, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 8**, MARRIAGE PREPARATION EDUCATION, by Representative R. McGee.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. H.B. 68, 1st Sub. H.B. 6, H.B. 80, H.B. 123, H.B. 260,** and **H.B. 8** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 14, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 7**, RESOLUTION OPPOSING UNITED STATES SUPREME COURT'S PORNOGRAPHY DECISION, by Representative R. Bigelow, and recommends it be considered read for the second time and placed on the Consent Calendar.

Parley G. Hellewell, Chair

Mr. President: February 14, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 218**, SCHOOLS FOR THE DEAF AND BLIND SALARY ADJUSTMENT, by Representative K. Morgan, and recommends it be considered read for the second time and placed on the Consent Calendar.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.J.R. 7** and **H.B. 218** were considered read the second time and placed on the Consent Calendar.

CONSENT CALENDAR

H.B. 229, TRAUMA REGISTRY DATA, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Mansell	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Bell	Buttars	Hillyard	Madsen
Mayne	Stephenson	Valentine	

H.B. 229 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 237, DIRECT−ENTRY MIDWIFE ACT − REPEALERS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Buttars	Hillyard	Madsen	Mayne
Stephenson	Valentine		

H.B. 237 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 245, CHILD CUSTODY DETERMINATIONS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.C.R. 3, RESOLUTION REGARDING THE HARMFUL EFFECTS OF TOBACCO, ALCOHOL, AND DRUGS ON YOUTH, was read the third time.

On motion of Senator Eastman, the bill was circled.

* * *

S.B. 246, COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Buttars	Hickman	Hillyard	Madsen
Stephenson	Valentine		

S.B. 246 was transmitted to the House for consideration.

* * *

On motion of Senator Eastman, the circle was removed from **1st Sub. H.B. 245**, CHILD CUSTODY DETERMINATIONS. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Madsen
Stephenson	Valentine		

1st Sub. H.B. 245, as amended, was returned to the House for further action.

* * *

On motion of Senator Eastman, the circle was removed from **H.C.R. 3**, RESOLUTION REGARDING THE HARMFUL EFFECTS OF TOBACCO, ALCOHOL, AND DRUGS ON YOUTH. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Hillyard	Stephenson	Valentine

H.C.R. 3 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

S.B. 160, PHYSICIAN LICENSING AMENDMENTS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Buttars	Hellewell	Hillyard	Stephenson
Valentine			

S.B. 160 was transmitted to the House for consideration.

* * *

S.B. 213, CLARIFICATIONS TO GUARDIAN AD LITEM, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Buttars	Hellewell	Hillyard	Stephenson
Valentine			

S.B. 213 was transmitted to the House for consideration.

* * *

S.B. 226, REGISTRATION AND TITLE PROVISIONS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Stephenson	Valentine

S.B. 226 was transmitted to the House for consideration.

* * *

S.B. 207, PRESUMPTIVE PERSONAL REPRESENTATIVE, was read the third time.

On motion of Senator Bell, the bill was circled.

* * *

S.B. 60, WESTERN STATES PRESIDENTIAL PRIMARY, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Walker			

Voting in the negative was: Senator
Waddoups

Absent or not voting were: Senators

Buttars	Stephenson	Valentine

S.B. 60 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 85, STATE−OWNED ART COLLECTIONS INVENTORY PROGRAM, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Stephenson	Valentine

1st Sub. S.B. 85 was transmitted to the House for consideration.

* * *

S.B. 178, STATE EXECUTIVE COMPENSATION − DEPARTMENT OF HEALTH, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Stephenson	Valentine

S.B. 178 was transmitted to the House for consideration.

* * *

S.B. 214, OFFICE OF STATE DEBT COLLECTION AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Stephenson	Valentine

S.B. 214 was transmitted to the House for consideration.

* * *

S.B. 229, CIVIL SERVICE COMMISSIONS, was read the third time and explained by Senator Jenkins. Senators Mayne and Dmitrich commented and the bill passed on the following roll call:

Yeas, 18; Nays, 9; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen
Mansell	Peterson	Stephenson	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy
Thomas			

Absent or not voting were: Senators

Buttars	Knudson

S.B. 229 was transmitted to the House for consideration.

SECOND READING CALENDAR

1st Sub. H.B. 112, TRANSPORTATION INVESTMENT ACT, was read the second time. Senator Walker explained the bill.

Senator Hatch proposed the following amendment:

1. Page 1, Line 22

22 Account; {~~and~~}
►authorizes the Transportation Investment Fund of 2005 monies to be used for certain purposes; and

2. Page 11, Line 305:

305 (5) (a) Except as provided in Subsection (5)(b) **and (c)** , the executive director may use fund

3. Page 11, Line 311:

311 and federal highways prioritized by the Transportation Commission.
(c) The executive director may use fund monies to exchange for an equal or greater amount of federal transportation funds to be used as provided in Subsection (5)(a).

Senator Hatch's motion to amend passed on a voice vote. Senators Jenkins and Hickman commented.

On motion of Senator Walker, under suspension of the rules, **1st Sub. H.B. 112**, TRANSPORTATION INVESTMENT ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Hale	McCoy

Absent or not voting was: Senator
Buttars

1st Sub. H.B. 112, as amended, was returned to the House for further consideration.

* * *

H.B. 41, PRESERVATION OF AND ACCESS TO STATE PUBLICATIONS, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Arent	Buttars	Davis

* * *

H.B. 207, INHERENT RISKS OF PARTICIPATING IN RECREATIONAL ACTIVITIES ON PROPERTY OWNED BY LOCAL GOVERNMENT, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Hillyard	Jenkins	Stephenson

Absent or not voting were: Senators

Buttars	Davis

* * *

H.B. 86, PROPERTY TAX − REFUNDING TAX PREPAYMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Goodfellow	Stephenson

* * *

2nd Sub. H.B. 79, PRESCRIPTION DRUG PURCHASING POOLS, was read the second time. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 3, Lines 63 through 64

63 (4) (a) The audit shall be { ~~completed by December 15, 2006, but shall be~~ } prioritized by

64 the Legislative Audit Subcommittee.

2. Page 3, Lines 65 through 68:

65 (b) The Office of the Legislative Auditor General may hire an expert:

66 (i) with experience in providing consultation to states on prescription drug purchasing

67 best practices; and

68 (ii) who has { ~~not served as a consultant for a state entity subject to the audit~~ } been approved by the Legislative Audit Subcommittee .

Senator Knudson's motion to amend passed on a voice vote. Senators Valentine, Bell, Dmitrich, Bramble, and Mansell commented.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 81, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Buttars	Stephenson	Walker

* * *

H.B. 45, BEAR RIVER DEVELOPMENT ACT, was read the second time. Senator Hillyard explained the bill. Senators Peterson, McCoy, Goodfellow, Hale, and Hatch commented. Senator Peterson declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 6; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Mansell	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Fife	Goodfellow	Hale
Mayne	McCoy		

Absent or not voting were: Senators

Buttars	Hickman	Killpack	Madsen
Stephenson			

* * *

On motion of Senator Knudson, the Senate voted to recall **H.B. 15** from House for purposes of reconsideration.

* * *

H.B. 234, SEAT BELT AMENDMENTS, was read the second time. Senator Eastman explained the bill. Senators Jenkins and Bell commented. The bill failed second reading on the following roll call:

Yeas, 8; Nays, 20; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Eastman
Hale	Hillyard	McCoy	Walker

Voting in the negative were: Senators

Bramble	Christensen	Dmitrich	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Buttars

H.B. 234 was returned to the House.

* * *

H.B. 233, INSURANCE LICENSING AMENDMENTS, was read the second time. Senator Hatch explained the bill. Senator Valentine declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

H.B. 242, MOTORBOAT LIABILITY INSURANCE AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Evans	Hillyard

* * *

H.B. 250, LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES, was read the second time. Senator Hickman explained the bill. Senators Arent, Killpack, McCoy, Davis, Hale, Mayne, Waddoups, and Fife commented.

Senator Fife proposed the following amendment:

1. Page 1, Line 27:
   After "(1)" delete "A" and insert "<u>After 7−1−07, a</u>"

Senator Fife's motion to amend failed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 8; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Absent or not voting were: Senators

Buttars	Hillyard	Stephenson

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 2006

The House transmits **H.B. 15**, EARLY VOTING, by Representative D. Aagard, et al, for further consideration.

Sandy D. Tenney, Chief Clerk

Communications filed.

On motion of Senator Knudson, **H.B. 15** was placed at the top of the Third Reading Calendar.

On motion of Senator Knudson, the bill was circled.

* * *

Mr. President: February 15, 2006

The House passed **H.B. 188**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, by Representative C. Frank, and it is transmitted for consideration; and

The House passed **H.B. 202**, FOREIGN EXCHANGE STUDENT AMENDMENTS, by Representative N. Hendrickson, and it is transmitted for consideration; and

The House passed **H.B. 396**, AMENDMENTS TO THE PROPERTY TAX EXEMPTION FOR DISABLED VETERANS, by Representative M. Morley, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 188, H.B. 202,** and **H.B. 396** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 2006

The House passed, **S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, by Senator L. Hillyard, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 59**, PURCHASING FROM PEOPLE WITH DISABILITIES AMENDMENTS, by Senator S. Killpack, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 37 and **S.B. 59** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 15, 2006

The House passed **H.B. 199**, INSURANCE AMENDMENTS − ADOPTION INDEMNITY BENEFIT, by Representative M. Newbold, et al, and it is transmitted for consideration; and

The House passed **H.J.R. 23**, RESOLUTION SUPPORTING WORKING FAMILIES ECONOMIC DEVELOPMENT INITIATIVE, by Representative T. Cosgrove, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 199** and **H.J.R. 23** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 15, 2006

The House refuses to adopt the Joint Conference Committee Report on **2nd Sub. H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, and returns it to Senate for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: February 15, 2006

The Joint Conference Committee comprised of Sens. Hellewell, Christensen, and Fife, and Reps. Donnelson, Wallace, and Becker, recommends **H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, be replaced and favorably recommends **3rd Sub. H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW.

Sen. Parley Hellewell and
Rep. Glenn Donnelson, Chairs

On motion of Senator Hellewell the Senate voted to adopt the Conference Committee report and the bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Mansell	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hickman	Hillyard	Madsen
Mayne	Stephenson		

3rd Sub. H.B. 16 was returned to the House for further consideration.

* * *

Mr. President: February 15, 2006

The House substituted, amended, and passed, **2nd Sub. S.B. 55**, ELECTION REFORM, by Senator L. A. Mansell, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 139**, REPORTABLE TRANSACTIONS ACT, by Senator H. Stephenson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 14, 2006

The Business and Labor Committee recommends **S.B. 252**, CONSUMER CREDIT CODE AMENDMENTS, by Senator C. Bramble, be replaced and favorably recommends **1st Sub. S.B. 252**, CONSUMER CREDIT CODE AMENDMENTS; and

The Business and Labor Committee recommends **S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, be replaced and favorably recommends **1st Sub. S.B. 267,** CHANGES TO LOCAL GOVERNMENT PROVISIONS; and

The Business and Labor Committee recommends **S.B. 268**, PROPERTY RIGHTS OMBUDSMAN, by Senator L. A. Mansell, be replaced and favorably recommends **1st Sub. S.B. 268,** PROPERTY RIGHTS OMBUDSMAN with the following amendments:

1. Page 9, Lines 268 through 270:

268 (b) If no agreement can be reached within { ~~three~~ } four business days after notice is delivered

269 pursuant to subsections (4) and (5), the Office of the Property Rights Ombudsman shall appoint

270 a neutral third party to issue an advisory opinion.

2. Page 10, Lines 279 through 280:

279 (c) issue a written advisory opinion within 15 business days after the appointment of the neutral third party under Subsection (6)(b) .

280 unless: ; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 65**, CONSUMER PROTECTION AGENCY, by Representative M. S. Lawrence.

Scott K. Jenkins, Chair

Mr. President: February 14, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 278**, OUT−OF−STATE PARENT−TIME AMENDMENTS, by Representative L. Fowlke.

Allen M. Christensen, Chair

Mr. President: February 15, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 228**, SPECIAL REVENUE FUND FOR SALINITY OFFSET PROGRAM, by Senator P. Knudson.

Michael G. Waddoups, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 252, 1st Sub. S.B. 267, 1st Sub. S.B. 268,** as amended, **1st Sub. H.B. 65, H.B. 278,** and **S.B. 228** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 14, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 269**, SECURITIES AMENDMENTS, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 14, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 103**, CHANGES TO DEFINITIONS OF A CHILD AND A MINOR, by Representative W. Harper, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 263**, CHILD CARE REVISIONS, by Representative

D. G. Buxton, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 269, H.B. 103,** and **H.B. 263** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 254, **Campaign Finance and Reporting Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Waddoups the Senate voted to lift from Rules **S.B. 247** and assign it to the Workforce Services and Community and Economic Development Committee.

On motion of Senator Waddoups the Senate voted to lift from Rules **S.B. 254** and assign it to the Revenue and Taxation Committee.

On motion of Senator Bell, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bell, the circle was removed from **S.B. 207**, PRESUMPTIVE PERSONAL REPRESENTATIVE, and it was before the Senate. Senator Bell explained the bill. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Thomas	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard	Madsen	Mayne
Stephenson	Waddoups		

S.B. 207 was transmitted to the House for consideration.

* * *

On motion of Senator Arent, the circle was removed from **S.B. 52**, ANTIPHISHING PROVISIONS, and it was before the Senate. Senator Arent explained the bill. Senators Bramble and McCoy commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hillyard	Madsen	Mayne

S.B. 52 was transmitted to the House for consideration.

SECOND READING CALENDAR

H.B. 315, REAL ESTATE AMENDMENTS, was read the second time. Senator Mansell explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hillyard	Madsen	Mayne
Thomas			

* * *

H.B. 204, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hillyard	Madsen	Mayne
Thomas			

* * *

H.B. 217, HEALTH INSURANCE HIGH RISK POOL ELIGIBILITY AMENDMENTS, was read the second time. Senator Hale explained the bill. Senators Valentine, Davis, McCoy, and Hickman commented. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Knudson
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	

Voting in the negative were: Senators

Bramble	Evans	Hickman	Jenkins
Killpack	Stephenson	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard	Madsen

On motion of Senator Hale, **H.B. 217** was placed on Third Reading Table due to fiscal impact.

* * *

H.B. 119, BOARD OF REGENTS AMENDMENTS, was read the second time. Senator Hickman explained the bill. Senators Dmitrich, Arent, and Goodfellow commented. The bill failed second reading on the following roll call:

Yeas, 11; Nays, 13; Absent, 5.

Voting in the affirmative were: Senators

Eastman	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Mansell
Peterson	Stephenson	Valentine	

Voting in the negative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Mayne	McCoy	Thomas
Walker			

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Madsen
Waddoups			

H.B. 119 was returned to the House for filing.

* * *

H.B. 226, KINDERGARTEN READINESS, was read the second time. Senator Hale explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Madsen
Waddoups			

* * *

1st Sub. H.B. 87, USE OF DISASTER LOAN FUNDS, was read the second time. Senator Hickman explained the bill.

Senator Hickman proposed the following amendment:

1. Page 1, Line 19a
House Floor Amendments
2−1−2006

19a one−year loans ;
and
► provides that notes issued,based on monies appropriated for disaster loans as of May 1, 2005, are due on or before June 30, 2007 .

2. Page 3, Line 57:

57 (b) {~~The~~} Except as required in Subsection (8) and (9), the director shall ensure that the promissory note contains:

3. Page 4, Lines 88 through 93:

88 (8) For each promissory note issued under this section that is unpaid on May 1, 2006,

89 the director shall issue a new promissory note to replace the existing promissory note:

90 (a) for the principal amount of the unpaid promissory note without accrued interest, if

91 any;

92 (b) due {~~two years from the date that the unpaid promissory note matured~~} on or before June 30, 2007 ; and

93 (c) with no interest rate.
(9) The director shall ensure that each promissory note issued under this section that is funded by monies appropriated and available for disaster loans as of January 1, 2006, are due on or before June 30, 2007.

Senator Hickman's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Madsen
Waddoups			

* * *

H.B. 152, NAVAJO TRUST FUND AMENDMENTS, was read the second time. Senator Dmitrich explained the bill. Senators Evans and Christensen commented. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 3; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Jenkins
Killpack	Knudson	Mayne	McCoy
Peterson	Stephenson	Walker	Valentine

Voting in the negative were: Senators

Evans	Mansell	Thomas

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Hillyard
Madsen	Waddoups		

* * *

H.C.R. 5, RESOLUTION URGING CONGRESS TO RESOLVE CAMP WILLIAMS BOUNDARY ISSUES, was read the second time.

On motion of Senator Stephenson, the bill was circled.

* * *

H.B. 256, REQUIREMENT OF PROPERTY TAX INCREASE ADVERTISEMENT, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Hillyard
Waddoups			

* * *

H.B. 39, UTAH INTERNATIONAL TRADE COMMISSION, was read the second time. Senator Bell explained the bill. Senators McCoy and Mayne commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Madsen	Mansell
Mayne	Peterson	Stephenson	Thomas
Walker			

Voting in the negative were: Senators

Hickman	Knudson	McCoy	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Waddoups

* * *

H.B. 40, EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES AND ACTIVITIES, was read the second time. Senator Jenkins explained the bill.

Senator Killpack proposed an amendment.

Senator Thomas proposed the following substitute motion to amend:

1. Page 1, Lines 21 through 22

21 convention facilities tax funds imposed by the legislative body of a county;
▶ modifies provisions related to the composition and duties of county tourism tax advisory boards;

22 ▶ provides that the report on the use of transient room tax funds and tourism,

2. Page 2, Lines 35 through 36:

35 17−31−5.5, as enacted by Chapter 270, Laws of Utah 1996
17−31−8, as last amended by Chapter 255, Laws of Utah 2004

36 59−12−603, as last amended by Chapters 105 and 269, Laws of Utah 2005

3. Page 3, Line 84:

84 (c) the Office of the Legislative Fiscal Analyst.
Section 2. Section 17−31−8 is amended to read:
17−31−8. Tourism tax advisory boards.
(1) (a) Except as provided in Subsection (1)(b), any county that collects the following taxes shall operate a tourism tax advisory board:
(i) the tax allowed under Section 59−12−301; or
(ii) the tax allowed under Section 59−12−603.
(b) Notwithstanding Subsection (1)(a), a county is exempt from Subsection (1)(a) if the county has an existing board, council, committee, convention visitor's bureau, or body that substantially conforms with Subsections (2), (3), and (4).
(2) A tourism tax advisory board created under Subsection (1) shall consist of at least five members.
(3) A tourism tax advisory board shall be composed of {~~any of~~} the following members that {~~:~~}
{~~(a)~~} are residents of the county {~~; and~~} ;
{~~(b) represent the local:~~}
{~~(i) hotel and lodging industry;~~}
{~~(ii) restaurant industry;~~}
{~~(iii) recreational facilities;~~}
{~~(iv) convention facilities;~~}
{~~(v) museums;~~}

{ ~~(vi) cultural attractions; or~~ }

{ ~~(vii) other tourism−related industries.~~ }

(a) a majority of the members shall be current employees of entities in the county that are subject to the taxes referred to in Sections 59−12−301 or 59−12−603; and

(b) the balance of the board's membership shall be employees of recreational facilities, convention facilities, museums, cultural attractions, or other tourism related industries located within the county.

(4) (a) Each tourism tax advisory board shall advise the county legislative body on the best use of revenues collected from the tax allowed under Section 59−12−301 by providing the legislative body with a priority listing for proposed expenditures based on projected available tax revenues supplied to the board by the county legislative body on an annual basis .

(b) Each tourism tax advisory board in a county operating under the county commission form of government under Section 17−52−501 or the expanded county commission form under Section 17−52−502 shall advise the county legislative body on the best use of revenues collected from the tax allowed under Section 59−12−603 by providing the legislative body with a priority listing for proposed expenditures based on projected available tax revenues supplied to the board by the county legislative body on an annual basis.

(4) A member of any county tourism tax advisory board:

(a) may not receive compensation or benefits for the member's services; and

(b) may receive per diem and expenses incurred in the performance of the member's official duties.

Renumber remaining sections accordingly.

Senator Thomas' motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch

Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hillyard	Mansell	Stephenson
Waddoups			

* * *

H.B. 264, ACCEPTANCE OF R.S. 2477 RIGHTS−OF−WAY AMENDMENTS, was read the second time. Senator Hatch explained the bill. Senator Fife commented. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Evans	Goodfellow	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Peterson	Stephenson
Thomas	Walker	Valentine	

Voting in the negative were: Senators

Arent	Fife	Hale	Mayne
McCoy			

Absent or not voting were: Senators

Buttars	Eastman	Hillyard	Mansell
Waddoups			

* * *

1st Sub. H.B. 287, WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS, was read the second time. Senator Evans explained the bill. Senator McCoy commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Jenkins

* * *

On motion of Senator Bell, the circle was removed from **1st Sub. H.B. 46**, ENERGY POLICY AMENDMENTS, and it was before the Senate.

On motion of Senator Bell, the following substitute bill replaced the original bill:

3rd Sub. H.B. 46 Energy Policy Amendments (R. Barrus)

On motion of Senator Bell, the bill was circled.

* * *

H.B. 238, AUTHORIZING TEMPORARY ROAD CLOSURES, was read the second time. Senator Peterson explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative was: Senator
Hale

Absent or not voting were: Senators

Buttars	Hillyard	Jenkins

* * *

1st Sub. H.B. 283, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, was read the second time. Senator Eastman explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Stephenson

* * *

H.B. 30, EMANCIPATION OF A MINOR, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Stephenson

* * *

On motion of Senator Hale, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Hale, the circle was removed from **S.B. 118**, DRIVING BY MINORS AMENDMENTS, and it was before the Senate. Senator Hale explained the bill.

Senator Hale proposed the following amendment:

1. Page 1, Line 18
   Senate 2nd Reading Amendments
   1−31−2006

   18 {~~and~~} ► prohibits a peace officer from seizing or impounding a vehicle in certain circumstances; and

2. Page 2, Lines 48 through 49
   Senate 2nd Reading Amendments
   1−31−2006:

   48 (3) (a) In addition to any penalties imposed under Title 53, Chapter 3, Uniform Driver

   49 License Act, a violation of this section is a class C misdemeanor.
   (b) A peace officer may not seize or impound a vehicle if:
   (i) the operator of the vehicle is cited for a violation of this section; and
   (ii) the seizure or impoundment is not otherwise authorized under Section 41−1a−1101, 41−6a−1405, 41−6a−1608, or 73−18−20.1 or required under Section 41−6a−527.

3. Page 3, Lines 71 through 73:

   71 (4) **(a)** Enforcement of this section by state or local law enforcement officers shall be only

   72 as a secondary action when an operator of a motor vehicle has been detained for a suspected

   73 violation of Title 41, other than this section, or for another offense.
   (b) A peace officer may not seize or impound a vehicle if:
   (i) the operator of the vehicle is cited for a violation this section; and
   (ii) the seizure or impoundment is not otherwise authorized under Section 41−1a−1101, 41−6a−1405, 41−6a−1608, or 73−18−20.1 or required under Section 41−6a−527.

Senator Hale's motion to amend passed on a voice vote. Senators Thomas, Hatch, Valentine, and Waddoups commented. The bill passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Fife	Goodfellow
Hale	Hillyard	Killpack	Knudson
Mansell	Mayne	McCoy	Waddoups
Walker			

Voting in the negative were: Senators

Eastman	Hatch	Hellewell	Hickman
Jenkins	Peterson	Thomas	Valentine

Absent or not voting were: Senators

Buttars	Evans	Madsen	Stephenson

S.B. 118, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Knudson and at 4:00 p.m., the Senate adjourned until 9:30 a.m., Thursday, February 16, 2006.

FEBRUARY 16, 2006

THIRTY−SECOND DAY

MORNING SESSION

The Senate was called to order at 10:00 a.m., with President John Valentine presiding.

Prayer − President James Dester, Bountiful Utah Central State
Pledge of Allegiance − Senator Peter Knudson
Roll Call − All Senators present except Senator Buttars, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 2006

The House passed, **S.B. 17**, HIGHWAY TRANSFER PROCESS AMENDMENTS, by Senator C. Walker, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 22**, DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS, by Senator P. Knudson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 38**, INDIVIDUAL INCOME TAXATION OF CERTAIN TRUST DISTRIBUTIONS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 62**, JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 70**, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, by Senator H. Stephenson, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 119**, REPEAL OF OFF−HIGHWAY VEHICLE REGISTRATION NUMBER, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 123**, UTAH CONSUMER CREDIT CODE AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 137**, BUSINESS ORGANIZATION AND DIVISION OF CORPORATIONS AND COMMERCIAL CODE AMENDMENTS, by Senator G. Bell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 146**, PHYSICIAN ASSISTANTS AND PUBLIC HEALTH AMENDMENTS, by Senator G. Bell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 149**, PROVIDING FOR INDIGENT DEFENSE, by Senator G. Bell, et al, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 17, S.B. 22, S.B. 38, S.B. 62, S.B. 70, S.B. 119, S.B. 123, S.B. 137, S.B. 146, and **S.B. 149** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 16, 2006

The House passed, as amended, **H.B. 142**, CENTER FOR MULTICULTURAL HEALTH − DUTIES, by Representative R. Romero, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 142** was read the first time and referred to the Rules Committee.

* * *

Mr. President: February 15, 2006

The House passed, as amended, **S.B. 153**, UNIFORM ENVIRONMENTAL COVENANTS ACT, by Senator L. Hillyard, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 182**, DIRECT SALES AMENDMENTS, by Senator M. Madsen, et al, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 15, 2006

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 11**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 209**, PARTIAL LUMP−SUM RETIREMENT PAYMENT OPTION, by Representative D. Clark; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **1st Sub. H.B. 224**, RETIREMENT SYSTEM PARTICIPATION, by Representative D. Clark.

Beverly Ann Evans, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 22, H.B. 209, and 1st Sub. H.B. 224** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 260, **Capitol Preservation Board Revisions** (B. Evans), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 142, INFORMATION AVAILABLE TO SENATE JUDICIAL CONFIRMATION COMMITTEE, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Bell	Buttars	Stephenson	Valentine

S.B. 142 was transmitted to the House for consideration.

* * *

S.B. 185, DRUG OFFENDER REFORM ACT AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Davis	Stephenson	Valentine

S.B. 185 was transmitted to the House for consideration.

* * *

H.B. 48, WATER COMPANY AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Davis	Stephenson	Valentine

H.B. 48 , as amended, was returned to the House for further consideration.

CONCURRENCE CALENDAR

On motion of Senator McCoy, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 55**, ELECTION REFORM. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Jenkins	Valentine

2nd Sub. S.B. 55 was returned to the House for the signature of the Speaker.

* * *

S.B. 139, REPORTABLE TRANSACTIONS ACT, was before the Senate.

On motion of Senator Stephenson, the bill was circled.

* * *

On motion of Senator Evans, the Senate voted to reconsider its action on **H.B. 119**.

On motion of Senator Evans, **H.B. 119** was placed at the top of the Second Reading Calendar.

On motion of Senator Hickman, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

H.B. 119, BOARD OF REGENTS AMENDMENTS, was before the Senate and explained by Senator Hickman. Senators Bell, Hillyard, Dmitrich, Stephenson, Peterson, and Hale commented and the bill passed second reading on the following roll call:

Yeas, 16; Nays, 12; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Christensen	Eastman	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Walker	Valentine

Voting in the negative were: Senators

Arent	Bell	Davis	Dmitrich
Evans	Fife	Goodfellow	Hale
Hillyard	Mayne	McCoy	Waddoups

Absent or not voting was: Senator
Buttars

THIRD READING CALENDAR

H.B. 41, PRESERVATION OF AND ACCESS TO STATE PUBLICATIONS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Evans

H.B. 41 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the Senate voted to move to Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Stephenson, the circle was removed from **S.B. 139**, REPORTABLE TRANSACTIONS ACT, and it was before the Senate.

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **S.B. 139**, REPORTABLE TRANSACTIONS ACT. Senator Bramble commented. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Evans

S.B. 139 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

H.B. 207, INHERENT RISKS OF PARTICIPATING IN RECREATIONAL ACTIVITIES ON PROPERTY OWNED BY LOCAL GOVERNMENT, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Hillyard	Stephenson

Absent or not voting were: Senators
Buttars Evans

H.B. 207 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 86, PROPERTY TAX − REFUNDING TAX PREPAYMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Evans

H.B. 86, as amended, was returned to the House for further consideration.

* * *

H.B. 81, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE, was read the third time.

On motion of Senator Eastman, the bill was circled.

* * *

H.B. 45, BEAR RIVER DEVELOPMENT ACT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Fife	Goodfellow	Hale
Mayne	McCoy		

Absent or not voting were: Senators

Buttars	Evans

HB. 45 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Hillyard the Senate voted to spread the following intent language upon the pages of the Senate Journal.

INTENT LANGUAGE FOR H.B. 45

"In passing H.B. 45, Bear River Development Act, the Legislature intends that when pursuing projects to develop the surface waters of the Bear River and obtaining the permits required by the environmental impact statement, the Division of Water Resources will study all potential sites for reservoirs and associated facilities in order to avoid potential litigation."

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 79**, UNIFORM DEBT−MANAGEMENT SERVICES ACT, and it was before the Senate. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

S.B. 79 was transmitted to the House for consideration.

* * *

On motion of Senator Evans, the circle was removed from **H.B. 81**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Buttars	Hillyard

H.B. 81 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 233, INSURANCE LICENSING AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Buttars	Davis	Hickman
Hillyard			

H.B. 233, as amended, was returned to the House for further consideration.

* * *

H.B. 242, MOTORBOAT LIABILITY INSURANCE AMENDMENTS, was read the third time and explained by Senator Bramble. Senators Valentine and Hatch commented and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Buttars	Hickman	Hillyard
Madsen			

H.B. 242 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 250, LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES, was read the third time,

On motion of Senator Eastman, the bill was circled.

* * *

H.B. 315, REAL ESTATE AMENDMENTS, was read the third time, explained by Senator Mansell, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson

Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Buttars	Hillyard

H.B. 315, as amended, was returned to the House for further consideration.

* * *

H.B. 204, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Buttars	Hillyard

H.B. 204 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hickman, the circle was removed from **H.B. 250**, LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES.

Senator Mayne proposed the following amendment:

1. Page 2, Lines 29 through 30

29 approval of the Legislature.
(2) Each property owner who charges a prospective tenant of the owner's property a fee to pay for the cost of acquiring information on the

prospective tenant shall:

(a) provide the prospective tenant with a copy of the information that the owner acquires; and

(b) accept a background check or credit check on the prospective tenant and waive any applicable fee that the owner would otherwise charge for that information, if the background check or credit check was obtained by the prospective tenant no more than six weeks before being submitted to the owner.

30 {~~(2)~~} (3) This section does not impair the right of a state agency, county, [~~or incorporated~~]

Senator Mayne's motion to amend failed on a voice vote.

# # #

Senator Davis made a substitute motion to amend.

Senator Davis' motion to amend failed on a voice vote.

# # #

Senator Arent proposed the following amendment:

1. Page 1, Line 27

27 (1) {~~A~~} (a) Except as provided in Subsection (1)(b), a county [~~or incorporated~~], city**,** or town may not enact an ordinance or resolution

2. Page 2, Line 29:

29 approval of the Legislature.

(b) A county, city, or town may require a fee on private residential property to be refunded to the extent that the expense that the fee is intended to cover is not incurred.

Senator Arent's motion to amend failed on a voice vote.

# # #

Senator Fife proposed the following amendment:

1. Page 1, Line 27 through Page 2, Line 28

27 (1) **(a)** A county [**~~or incorporated~~**], city**,** or town may not enact an ordinance or resolution

28 that would control rents {~~or fees~~} on private residential property unless it has the express

1. Page 2, Line 29:

29 approval of the Legislature.
(b) After July 1, 2007, a county, city, or town may not enact an ordinance or resolution that would control fees on private residential property unless it has the express approval of the Legislature.

Senator Fife's motion to amend failed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 2, Line 28:
After "or fees" insert "for background or credit checks sought from a third party"

Senator McCoy's motion to amend failed on a voice vote.

Senators Killpack, Mansell, Goodfellow, Davis, Waddoups, Hale, and Arent commented. The bill passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Absent or not voting were: Senators

Buttars	Eastman	Evans	Hillyard

H.B. 250 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 2006

The House concurred in the Senate amendments and passed **1st Sub. H.B. 112**, TRANSPORTATION INVESTMENT ACT, by Representative R. Lockhart, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 112, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 16, 2006

The House passed, as substituted, **1st Sub. H.B. 333**, ANTITRUST EXEMPTION, by Representative R. Wheeler, et al, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 333** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 11:50 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:50 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 2006

The House passed, **S.B. 106**, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 189**, CONSTITUTIONAL REVISION COMMISSION AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 150**, RESTITUTION AMENDMENTS, by Senator G. Bell, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 160, S.B. 189, and **1st Sub. S.B. 150** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 16, 2006

The House concurred in the Senate amendments and passed **1st Sub. H.B. 245**, CHILD CUSTODY DETERMINATIONS, by Representative L. Fowlke, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 245, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 16, 2006

The House substituted and passed, **1st Sub. S.B. 61**, UNIFORM MEDIATION ACT, by Senator L. Hillyard, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 67**, CONSERVATION EASEMENT RESTRICTED ACCOUNTS, by Senator B. Evans, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 16, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 28**, ACCESS AND FEE

AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, with the following amendment:

1. Page 4, Line 105:
After "program" insert "not currently maintained by the governmental entity"; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 76**, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, by Representative B. Daw, et al; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 269**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, by Representative D. Clark; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 461**, VETERANS NURSING HOME − EXTENSION BOND AUTHORIZATION, by Representative A. Hardy; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 8**, RESOLUTION REVISING EXECUTIVE OFFICER SUCCESSION PROVISIONS, by Representative S. Allen, with the following amendments:

1. Page 2, Line 28:
After "Senate" delete "and House of Representatives"

2. Page 3, Line 85:
After "consent of" delete "both"
After "Senate" delete "and the House of Representatives"; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 10**, JOINT RULES RESOLUTION − DISCLOSURE OF CONFLICT OF INTEREST, by Representative R. Romero.

Parley G. Hellewell, Chair

Mr. President: February 16, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 221**, LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 270**, INDIVIDUAL INCOME TAX REVISIONS, by Senator T. Hatch; and

The Revenue and Taxation Committee reports a favorable recommendation on **2nd Sub. H.B. 42**, RENEWABLE ENERGY TAX CREDIT, by Representative S. Allen; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 53**, CORPORATE FRANCHISE AND INCOME TAXES − APPORTIONMENT OF BUSINESS INCOME TO UTAH AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, by Representative W. Harper; and

The Revenue and Taxation Committee recommends **H.B. 101**, LOBBYIST GIFT LIMITS AND DISCLOSURE, by Representative J. Alexander, be replaced and favorably recommends **3rd Sub. H.B. 101,** LOBBYIST GIFT LIMITS AND DISCLOSURE with the following amendments:

1. Page 2, Line 37:
   After "over" delete "$100" and insert "$50

2. Page 2, Line 38:
   After "that the" delete "$100" and insert "$50

3. Page 7, Line 193:
   After "2007," delete "$100" and "$50"; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.J.R. 16**, RESOLUTION URGING CONGRESSIONAL REPEAL OF FEDERAL EXCISE TAX ON TELECOMMUNICATIONS, by Representative L. Christensen.

Curtis S. Bramble, Chair

Mr. President: February 16, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 251**, DEVELOPMENT GRANTS FOR LIBRARIES, by Representative M. Noel.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 12, 1st Sub. H.B. 28,** as amended, **H.B. 76, H.B. 269, H.B. 461, H.J.R. 8,** as amended, **H.J.R. 10, S.B. 221, S.B. 270, 2nd Sub. H.B. 42, 1st Sub. H.B. 53, 3rd Sub. H.B. 101,** as amended, **H.J.R. 16,** and **H.B. 251**were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 16, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 291**, STATE TAX COMMISSION BONDING AND LICENSING AMENDMENTS, by Representative W. Harper, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 16, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 131**, ECONOMIC DEVELOPMENT INCENTIVES, by Representative B. Dee, and recommends it be considered read for the second time and placed on the Consent Calendar.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 291** and **H.B. 131** were considered read the second time and placed on the Consent Calendar.

* * *

On motion of Senator Hatch, **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING CONTRIBUTIONS OF FRED C. ADAMS, will be considered Tuesday, February 21, 2006 at 10:45 a.m..

THIRD READING CALENDAR

H.B. 226, KINDERGARTEN READINESS, was read the third time and explained by Senator Hale. Senators Evans and Valentine commented and the bill passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Voting in the negative were: Senators
Hickman Valentine

Absent or not voting were: Senators
Bramble Buttars Hillyard Mansell

H.B. 226 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 87, USE OF DISASTER LOAN FUNDS, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators
Arent Bell Christensen Davis
Dmitrich Eastman Evans Fife
Goodfellow Hale Hatch Hellewell
Hickman Jenkins Killpack Knudson
Madsen Mayne McCoy Peterson
Stephenson Thomas Waddoups Walker
Valentine

Absent or not voting were: Senators
Bramble Buttars Hillyard Mansell

1st Sub. H.B. 87, as amended, was returned to the House for further consideration.

* * *

H.B. 152, NAVAJO TRUST FUND AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators
Arent Bell Christensen Davis
Dmitrich Eastman Evans Fife
Goodfellow Hale Hatch Hellewell
Hickman Jenkins Killpack Knudson
Madsen Mayne McCoy Peterson
Stephenson Thomas Waddoups Walker
Valentine

Absent or not voting were: Senators
Bramble Buttars Hillyard Mansell

H.B. 152 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the circle was removed from **1st Sub. S.B. 175**, CORRECTIONAL FACILITY BIDDING PROCESS, and it was before the Senate.

On motion of Senator Peterson, the following substitute bill replaced the original bill:

2nd Sub. S.B. 175 Correction Facility Bidding Process (H. Stephenson)

Senator Peterson proposed the following amendment:

1. Page 3, Line 72:

   72 (a) the funding, construction, or expansion of any correctional prison facility complex currently

2. Page 3, Line 73:
   Delete "May" and insert "June"

3. Page 3, Line 75:
   Delete "May" and insert "June"

Senator Peterson's motion to amend passed on a voice vote.

# # #

Senator Stephenson proposed the following amendment:

1. Page 1, Line 23

   23 • issue a request for proposals for a {~~500~~} 300 −bed facility that does not affect current

2. Page 3, Lines 69 through 70:

   69 (1) The department shall issue and evaluate a request for proposals {~~before contracting~~ }

70 for {~~a new~~} the next correctional prison facility complex {~~, except that the~~} of 300 or more beds to be constructed on or after June 1, 2006. The department shall select the site of the facility complex regarding which the request for proposals is to be issued. The request for proposals may not

4. Page 4, Line 97:

97 (1) When the department determines that construction of a {~~500~~} 300 -bed or larger correctional facility complex facility is necessary

Senator Stephenson's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 18; Nays, 8; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Absent or not voting were: Senators

Buttars	Hickman	Mansell

2nd Sub. S.B. 175, as amended, was transmitted to the House for consideration.

* * *

H.B. 256, REQUIREMENT OF PROPERTY TAX INCREASE ADVERTISEMENT, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

H.B. 256 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 39, UTAH INTERNATIONAL TRADE COMMISSION, was read the third time and explained by Senator Bell. Senators Thomas, Hatch, Jenkins, Mayne, and McCoy commented.

On motion of Senator Bell, the bill was circled.

* * *

H.B. 40, EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES AND ACTIVITIES, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Killpack

H.B. 40, as amended, was returned to the House for further consideration.

* * *

H.B. 264, ACCEPTANCE OF R.S. 2477 RIGHTS−OF−WAY AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Goodfellow
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Fife	Hale

Absent or not voting were: Senators

Buttars	Hillyard

H.B. 264 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 287, WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

1st Sub. H.B. 287, as amended, was returned to the House for further consideration

* * *

H.B. 238, AUTHORIZING TEMPORARY ROAD CLOSURES, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Goodfellow
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Fife	Hale	McCoy

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

H.B. 238 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 283, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hillyard	Mansell

1st Sub. H.B. 283 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 30, EMANCIPATION OF A MINOR, was read the third time and explained by Senator Bramble.

Senator Bramble proposed the following amendment:

1. Page 6, Line 178:
   After "service is" delete "unnecessary or"

Senator Bramble's motion to amend passed on a voice vote. Senator McCoy commented and the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Peterson

Absent or not voting were: Senators
Buttars Hillyard

H.B. 30, as amended, was returned to the House for further consideration.

* * *

Senator McCoy asked leave of the body to change his vote from an aye to a nay on H.B. 264.

* * *

On motion of Senator Waddoups the Senate voted to wipe the board on the Second Reading Calendar and send all bills below H.C.R. 5 back to the Rules Committee for the purpose of reprioritization.

SECOND READING CALENDAR

S.B. 179, AMENDMENTS TO SALES AND USE TAX EXEMPTIONS FOR CERTAIN VEHICLES, BOATS, BOAT TRAILERS, AND OUTBOARD MOTORS, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

* * *

On motion of Senator Bell, the circle was removed from **3rd Sub. H.B. 46**, ENERGY POLICY AMENDMENTS, and it was before the Senate. Senator Bell explained the bill. Senator Hatch commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Thomas

* * *

On motion of Senator Bramble the Senate voted to suspend the rules and consider Senate bills on the Second Reading Calendar for the remainder of the day.

* * *

S.B. 198, PROPERTY TAX − INTANGIBLE PROPERTY, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Hillyard

* * *

1st Sub. S.B. 206, CHILD PROTECTION REGISTRY AMENDMENTS, was read the second time. Senator Stephenson explained the bill. Senators Bell, Arent, and Dmitrich commented.

On motion of Senator Stephenson, the following substitute bill replaced the original bill:

2nd Sub. S.B. 206 Child Protection Registry Amendments (M. Dmitrich)

The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hickman	Hillyard	Mansell

* * *

S.B. 124, ALCOHOL BEVERAGE CONTROL AMENDMENTS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Buttars	Hillyard	Mansell
Stephenson			

* * *

1st Sub. S.B. 161, MECHANICS' LIEN AND PAYMENT AMENDMENTS, was read the second time. Senator Jenkins explained the bill.

Senator Jenkins proposed the following amendment:

1. Page 4, Lines 109 through 111

109 (ii) A restrictive endorsement placed on a check to effectuate a waiver and release

110 described in this Subsection (4)(a) meets the requirements of this section if it is in substantially the

111 following form:

2. Page 5, Lines 135 through 138:

135 This waiver and release applies to the final payment for the work, materials, equipment,

136 or combination of work, {~~material~~} materials , and equipment furnished by the undersigned to the Property

137 or to the Undersigned's Customer. This waiver and release does not apply to payment of

138 Disputed Claims, if any.

3. Page 5, Line 148 through Page 6, Line 150:

148 (ii) A restrictive endorsement placed on a check to effectuate a waiver and release

149 described in this Subsection (4)(b) {~~(ii)~~} meets the requirements of this section if it is in substantially

150 the following form:

Senator Jenkins' motion to amend passed on a voice vote. Senators Thomas and Hatch commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Jenkins	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hale	Hillyard	Killpack
Mansell			

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 2006

The House passed, as amended, **S.B. 117**, EMINENT DOMAIN AMENDMENTS, by Senator H. Stephenson, et al, and it is transmitted for further consideration.

The House passed, as amended, **S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, by Senator G. Bell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

* * *

On motion of Senator Knudson and at 4:30 p.m., the Senate adjourned until 9:30 a.m., Friday, February 17, 2006.

FEBRUARY 17, 2006

THIRTY−THIRD DAY

MORNING SESSION

The Senate was called to order at 9:45 a.m., with President John Valentine presiding.

Prayer − Senator Parley G. Hellewell
Pledge of Allegiance − Senator Dan Eastman
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 16, 2006

The Speaker of the House has signed **2nd Sub. S.B. 55**, ELECTION REFORM, by Senator L. A. Mansell, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 139**, REPORTABLE TRANSACTIONS ACT, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The House passed, **S.B. 158**, ADMINISTRATIVE RULEMAKING AUTHORITY AMENDMENTS, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 171**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

2nd Sub. S.B. 55, S.B. 139, S.B. 158, and **S.B. 171** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 16, 2006

The House passed **H.B. 93**, CLEAN FUEL VEHICLE FUND AMENDMENTS, by Representative J. Gowans, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 138**, MERCURY SWITCH REMOVAL ACT, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 156**, HEALTH INSURANCE ACCESSIBILITY, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 158**, SEX OFFENDER AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 284**, VETERINARY PRACTICE ACT AMENDMENTS, by Representative J. Mathis, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 330**, ALLOWANCE OF STATE MEMORIALS ON STATE PROPERTY, by Representative W. Harper, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 93, 1st Sub. H.B. 138, 1st Sub. HB. 156, 1st Sub. H.B. 158, 1st Sub. H.B. 160, H.B. 284,** and **1st Sub. H.B. 330** were read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 241, **Natural Resources Development** (M. Dmitrich), read the first time by short title and referred to the Rules Committee.

* * *

President Valentine announced a correction in the status of **1st Sub. H.B. 287**. It was incorrectly reported as being signed by the President. It had been amended in committee and returned to the House for further consideration.

CONSENT CALENDAR

H.B. 272, INSURANCE LAW AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Bramble	Eastman	Peterson
Stephenson			

H.B. 272 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 289, UTAH EDUCATION NETWORK AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hale	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Bramble	Dmitrich	Hatch
Peterson	Stephenson		

H.B. 289, as amended, was returned to the House for further consideration.

* * *

H.B. 370, TRANSPORTATION PLANNING AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Dmitrich	Hatch	Peterson	Stephenson
Valentine			

H.B. 370 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 227, UNDERAGE TATTOOING PENALTY AMENDMENTS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Dmitrich	Hatch	Peterson	Valentine

H.B. 227 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 306, PRIVATE PROBATION PROVIDER AMENDMENT, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Dmitrich	Hatch	Peterson	Valentine

H.B. 306 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

CONCURRENCE CALENDAR

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 153**, UNIFORM ENVIRONMENTAL COVENANTS ACT. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Dmitrich	Hatch	Peterson	Valentine

S.B. 153 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Madsen, the Senate voted to concur in the House amendments to **S.B. 182**, DIRECT SALES AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	Stephenson	Thomas	Waddoups
Walker			

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting were: Senators

Peterson	Valentine

S.B. 182 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **1st Sub. S.B. 61**, UNIFORM MEDIATION ACT. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Killpack	Peterson

1st Sub. S.B. 61 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Evans, the Senate voted to concur in the House amendments to **S.B. 67**, CONSERVATION EASEMENT RESTRICTED ACCOUNTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Knudson	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Hillyard	Killpack	Madsen

S.B. 67 was returned to the House for the signature of the Speaker.

* * *

S.B. 117, EMINENT DOMAIN AMENDMENTS, was before the Senate and explained by Senator Stephenson. Senator Waddoups commented.

On motion of Senator Stephenson, the bill was circled.

* * *

On motion of Senator Bell, the Senate refused to concur in the House amendments to **S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH. Senators Bramble and Thomas commented. **S.B. 148** was returned to the House.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 17, 2006

The Rules Committee recommends the following bills be placed at the bottom of the Second Reading Calendar:

S.B. 188	Private Investigator Regulation Act Amendments (Sen. P. Hellewell)
S.B. 225	Payment of Tax or Bonding in Tax Cases (Sen. H. Stephenson)
S.B. 202	Use of Oil and Gas Tax Revenues (Sen. L. Hillyard)
1st Sub. S.B. 232	Amendments to Pete Suazo Athlete Commission (Sen. E. Mayne)
S.B. 196	Revisions to Redevelopment Agency Provisions (Sen. C. Bramble)

S.B. 209	Waste Fee Amendments (Sen. D. Eastman)
S.B. 215	Electronic Waste Task Force and Moratorium on Electronic Waste Disposal (Sen. S. McCoy)
S.B. 107	Title to Manufactured Housing or Mobile Homes (Sen. T. Hatch)
S.B. 212	Veteran Survivor and Dependent Higher Education Benefit (Sen. S. McCoy)
1st Sub. S.B. 268	Property Rights Ombudsman (Sen. L. A. Mansell)
1st Sub. S.B. 267	Changes to Local Government Provisions (Sen. L. A. Mansell)
1st Sub. S.B. 252	Consumer Credit Code Amendments (Sen. C. Bramble)
S.B. 228	Special Revenue Fund for Salinity Offset Program (Sen. P. Knudson)
S.B. 221	Levies for the Assessment and Collection of Property Taxes (Sen. H. Stephenson)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

THIRD READING CALENDAR

H.B. 119, BOARD OF REGENTS AMENDMENTS, was read the third time, explained by Senator Hickman, and passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Peterson	Stephenson	Thomas
Walker	Valentine		

Voting in the negative were: Senators

Arent	Bell	Davis	Dmitrich
Fife	Goodfellow	Hale	Mayne
McCoy	Waddoups		

Absent or not voting was: Senator
Hillyard

H.B. 119 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 179, AMENDMENTS TO SALES AND USE TAX EXEMPTIONS FOR CERTAIN VEHICLES, BOATS, BOAT TRAILERS, AND OUTBOARD MOTORS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Evans	Hillyard

S.B. 179 was transmitted to the House for consideration.

* * *

3rd Sub. H.B. 46, ENERGY POLICY AMENDMENTS, was read the third time and explained by Senator Bell.

Senator Jenkins proposed the following amendment:

1. Page 5, Lines 121 through 137

121 (b) Utah will promote the development of:

122 (i) nonrenewable energy resources, including natural gas, coal, oil, oil shale, and tar

123 sands; and

124 (ii) renewable energy resources, including geothermal, solar, wind, biomass, biodiesel, and

125 ethanol;

(c) Utah will promote the study of nuclear power generation;

126 {~~(c)~~} (d) Utah will promote the development of resources and infrastructure sufficient to

127 meet the state's growing demand, while contributing to the regional and national energy supply,

128 thus reducing dependence on international energy sources;

129 {~~(d)~~} (e) Utah will allow market forces to drive prudent use of energy resources, although

130 incentives and other methods may be used to ensure the state's optimal development and use of

131 energy resources in the short- and long-term;

132 {~~(e)~~} (f) Utah will pursue energy conservation, energy efficiency, and environmental quality;

133 {~~(f)~~} (g) (i) state regulatory processes should be streamlined to balance economic costs with

134 the level of review necessary to ensure protection of the state's various interests; and

135 (ii) where federal action is required, Utah will encourage expedited federal action and

136 will collaborate with federal agencies to expedite review; and

137 {~~(g)~~} (h) Utah will maintain an environment that provides for stable consumer prices that are

Senator Jenkins' motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 5, Line 125:
   Delete Line C

Senator McCoy's motion to amend failed on a voice vote. Senator Mayne commented and the bill passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Knudson	Madsen
Mansell	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative was: Senator
McCoy

Absent or not voting were: Senators

Arent	Evans	Hillyard	Killpack

3rd Sub. H.B. 46, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Stephenson, the Senate voted to move to Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Stephenson, the circle was removed from **S.B. 117**, EMINENT DOMAIN AMENDMENTS, and it was before the Senate. Senator Stephenson explained the bill.

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **S.B. 117**, EMINENT DOMAIN AMENDMENTS on the following roll call:

Yeas, 19; Nays, 10; Absent, 0.

Voting in the affirmative were: Senators

Bramble	Buttars	Dmitrich	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Madsen
Mansell	Mayne	Peterson	Stephenson
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Bell	Christensen	Davis
Fife	Goodfellow	Hale	Knudson
McCoy	Thomas		

Senators Thomas, Hellewell, Buttars, Bell, Bramble, Fife, and Jenkins commented. Senator Bramble declared a conflict of interest. The bill, as amended, passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Dmitrich
Eastman	Evans	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Bell	Davis	Fife
Goodfellow	Hale	McCoy	Thomas

Absent or not voting was: Senator
Killpack

S.B. 117 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

S.B. 198, PROPERTY TAX − INTANGIBLE PROPERTY, was read the third time and explained by Senator Bramble. Senators Stephenson and Hillyard commented.

On motion of Senator Bramble, the bill was circled.

* * *

2nd Sub. S.B. 206, CHILD PROTECTION REGISTRY AMENDMENTS, was read the third time and explained by Senator Dmitrich. Senator Walker commented.

On motion of Senator Dmitrich, the bill was circled.

TIME CERTAIN CALENDAR

S.B. 195, CHILD SUPPORT GUIDELINE, was read the second time. Senator Bell explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 4, Lines 116 through 118

116 78−45−7.2. Application of guidelines −− Rebuttal.

117 (1) The guidelines apply to any judicial or administrative order establishing or

118 modifying an award of child support entered on or after {~~July 1, 1989~~} January 1, 2007 . Orders entered prior to January 1, 2007 may not be adjusted to the guidelines in effect after January 1, 2007 unless both parties' income has increased by at least 10% since the entry of the last order of support.

Senator Hillyard's motion to amend passed on a voice vote.

# # #

Senator Hillyard proposed the following amendment:

2. Page 7, After Line 196, insert:

(11) The court may, upon a finding that the custodial parent has significantly interfered with the relationship between the noncustodial parent and the child, order that a portion of the child support be used to repair the relationship.

Senator Hillyard's motion to amend passed on a voice vote.

# # #

Senator Hillyard proposed the following amendment:

3. Page 25, Line 764 through Page 26, Line 781:

764 78−45−7.21. Award of tax exemption for dependent children.

765 (1) {~~No presumption exists as to which parent should be awarded the right to claim a~~

766 ~~child or children as exemptions for federal and state income tax purposes. Unless the parties~~

767 ~~otherwise stipulate in writing, the court [or administrative agency~~] shall award in any final

768 ~~order the exemption on a case−by−case basis.~~} For federal and state income tax purposes, the parties shall divide the children evenly. If there is an odd number of children, the custodial parent shall claim the greater number of children in even years, and the noncustodial parent shall claim the greater number of children in odd years.

769 {~~(2) In awarding the exemption, the court [or administrative agency~~] shall consider:

770 ~~(a) [as the primary factor,~~] the relative contribution of each parent to the cost of raising

771 ~~the child; [and~~]

772 ~~(b) [among other factors,~~] the relative tax benefit to each parent[~~.~~]; and

773 ~~(c) that the child support guidelines tables incorporate the presumption that the~~

774 ~~custodial parent claims the children for tax purposes and the noncustodial parent's tax filing~~

775 ~~status is single with no dependents.~~

776 ~~(3)~~ } (2) {~~Notwithstanding Subsection (2), the court~~ } [~~or administrative agency~~] A noncustodial parent who has been given timely notice of obligations due under the order but has not fulfilled those obligations may not claim

777 {~~award~~ } any exemption {~~to the noncustodial parent if that parent is not current in his child support~~

778 ~~obligation, in which case the court~~[~~or administrative agency~~] may award an exemption to } , except with the written consent of the

779 custodial parent.

780 ~~(4) An exemption may not be awarded to a parent unless the award will result in a tax~~

781 ~~benefit to that parent.~~

Senator Hillyard's motion to amend passed on a voice vote.

# # #

Senator Bell proposed the following amendment:

1. Page 1, Line 19

   19 Other Special Clauses:
   This bill takes effect on January 1, 2007.

2. Page 26, After Line 793, insert:
   Section 11. Effective Date.
   This bill takes effect on January 1, 2007.

Senator Bell's motion to amend passed on a voice vote.

Senators Hellewell, Christensen, Arent, Fife, and Mansell commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Stephenson Valentine

* * *

On motion of Senator Bramble, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bramble, the circle was removed from **S.B. 198**, PROPERTY TAX − INTANGIBLE PROPERTY, and it was before the Senate. Senator Bramble explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas

Absent or not voting were: Senators

Bell	Stephenson	Waddoups	Walker
Valentine			

S.B. 198 was transmitted to the House for consideration.

CORRECTED STANDING COMMITTEE REPORT

Mr. President: February 14, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 278**, OUT−OF−STATE PARENT−TIME

AMENDMENTS, by Representative L. Fowlke, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

On motion of Senator Eastman, the committee reports were adopted. **H.B. 278** was considered read the second time and placed on the Consent Calendar.

CORRECTED STANDING COMMITTEE REPORT

Mr. President: February 14, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 263**, CHILD CARE REVISIONS, by Representative D. G. Buxton.

Allen M. Christensen, Chair

On motion of Senator Eastman, the committee report was adopted. **H.B. 263** was returned to the Rules Committee.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 17, 2006

The House passed, **S.B. 134**, LIEN DURATION OF A FOREIGN JUDGMENT, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 165**, CORPORATIONS − PROFESSIONAL SERVICES AMENDMENT, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 134 and **1st Sub. S.B. 165** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 17, 2006

The House passed **H.B. 326**, NEW CENTURY SCHOLARSHIP AMENDMENTS, by Representative K. Holdaway, and it is transmitted for consideration; and

The House passed **H.B. 444**, IRRIGATION COMPANIES − NONPROFIT CORPORATION AMENDMENTS, by Representative J. Gowans, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 326** and **H.B. 444** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Dmitrich the Senate voted to recall **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, from the Office of Legislative Research and General Counsel for the purpose of a technical amendment.

* * *

On motion of Senator Knudson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 3:00 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 17, 2006

The House concurred in the Senate amendments and passed **H.B. 48**, WATER COMPANY AMENDMENTS, by Representative D. Ure, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 86**, PROPERTY TAX − REFUNDING TAX PREPAYMENTS, by Representative F. Hunsaker, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 87**, USE OF DISASTER LOAN FUNDS, by Representative D. Clark, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 233**, INSURANCE LICENSING AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 315**, REAL ESTATE AMENDMENTS, by Representative G. Snow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 48, H.B. 86, 1st Sub. H.B. 87, H.B. 233, and **H.B. 315** were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 17, 2006

The House adopted the Joint Conference Committee Report dated February 17, 2006, and passed **3rd Sub. H.B. 16**, REVISIONS TO OPEN AND PUBLIC MEETINGS LAW, by Representative G. Donnelson, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

3rd Sub. H.B. 16 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 17, 2006

The House requests the return of **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, by Senator M. Dmitrich, for correction.

Sandy D. Tenney, Chief Clerk

S.B. 36 was returned to the House.

On motion of Senator Davis the bill was returned to the House.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 17, 2006

The Rules Committee recommends the following bills be placed at the bottom of the Second Reading Calendar:

H.B. 12	Amendments to Government Records Access and Management Act (Rep. D. Aagard)
H.B. 74	Athletic Trainer Licensing Act (Rep. P. Ray)
H.C.R. 4	Resolution Supporting Utah Highway Patrol Use of White Crosses as Roadside Memorials (Rep. P. Ray)

H.B. 244	Aggravated Assault by Prisoners Amendment (Rep. S. Wyatt)
H.B. 127	Limited Liability Company Amendments (Rep. J. S. Adams)
1st Sub. H.B. 6	Utility Improvement Districts Revisions (Rep. D. Ure)
1st Sub. H.B. 68	School Fee Waiver Amendments (Rep. L. Shurtliff)
H.B. 461	Veterans Nursing Home − Extension Bond Authorization (Rep. A. Hardy)
1st Sub. H.B. 85	Abortion by a Minor − Parental Notification and Consent (Rep. K. Gibson)
H.B. 83	Driver License Privilege Suspension for Failure to Pay Child Support (Rep. Julie Fisher)
1st Sub. H.B. 65	Consumer Protection Agency (Rep. M. S. Lawrence)
H.B. 125	State Long−term Care for Inmates (Rep. J. Biskupski)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

On motion of Senator Waddoups, the Senate voted to lift **H.B. 323** from the Revenue and Taxation Committee and place it at the top of the Second Reading Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 17, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Education Committee

H.B. 202	Foreign Exchange Student Amendments (Rep. N. Hendrickson)
H.B. 253	School Truancy Amendments (Rep. E. Hutchings)

Government Operations/Political Subdivisions Committee

S.B. 260	Capitol Preservation Board Revisions (Sen. B. Evans)
H.B. 117	Grama Records Committee Appeal (Rep. C. Moss)
1st Sub. H.B. 132	Local Land Use Requirements (Rep. M. Morley)
H.B. 188	Government Records Access and Management Act Revisions (Rep. C. Frank)
H.B. 316	Administrative Rules Procedure Amendments (Rep. D. Ure)

H.B. 348	Election Code − Electronic Voting Procedures and Requirements (Rep. D. Aagard)
H.B. 352	State Budget Provisions (Rep. M. Dayton)

Health and Human Services Committee

H.B. 130	Adoption Amendments (Rep. A. Hardy)
H.B. 142	Center for Multicultural Health − Duties (Rep. R. Romero)
H.B. 199	Insurance Amendments − Adoption Indemnity Benefit (Rep. M. Newbold)
H.B. 295	Child Support Amendments (Rep. L. Fowlke)
H.J.R. 14	Resolution Urging State Agencies to Update References to Mental Retardation (Rep. D. Hogue)

Judiciary, Law Enforcement, Criminal Justice Committee

H.B. 249	Juvenile Court Judge (Rep. D. Hogue)
H.B. 304	Voiding Transactions Against Public Policy (Rep. L. Christensen)

Natural Resources, Agriculture, and Environment Committee

S.B. 241	Natural Resources Development (Sen. M. Dmitrich)
1st Sub. H.B. 47	Sales Tax Diversion for Water Projects and Water Financing (Rep. D. Ure)
H.B. 61	Criminal Penalty for Animal Cruelty (Rep. S. Wyatt)
1st Sub. H.B. 100	Environmental Litigation Bond (Rep. A. Tilton)

Retirement and Independent Entities Committee

H.B. 216	Expiration of Group Health Insurance for Retired Governors and Legislators (Rep. D. Clark)
1st Sub. H.B. 240	Public Safety Retirement Revisions (Rep. D. Clark)

Revenue and Taxation Committee

2nd Sub. H.B. 94	Ban on Gifts to Elected Officials (Rep. P. Jones)
H.B. 95	Individual Income Tax Contribution for Community Spay and Neuter Programs (Rep. M. Noel)
H.B. 294	Creation of Education Fund (Rep. J. Alexander)
H.B. 396	Amendments to the Property Tax Exemption for Disabled Veterans (Rep. M. Morley)

Transportation/Public Utilities/Technology Committee

H.B. 169 Driver License Records Access Amendments (Rep. D. Aagard)

Workforce Services and Community and Economic Development Committee

H.J.R. 23 Resolution Supporting Working Families Economic Development Initiative (Rep. T. Cosgrove)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

THIRD READING CALENDAR

S.B. 124, ALCOHOL BEVERAGE CONTROL AMENDMENTS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

1st Sub. S.B. 161, MECHANICS' LIEN AND PAYMENT AMENDMENTS, was read the third time and explained by Senator Jenkins. Senator Waddoups commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Evans	Stephenson

1st Sub. S.B. 161 was transmitted to the House for consideration.

SECOND READING CALENDAR

1st Sub. S.B. 176, CONTACT LENS CONSUMER PROTECTION ACT, was read the second time. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 18 through 20

18 commercially reasonable and nondiscriminatory manner to prescribers and {~~directly~~

19 ~~to, and generally within, all~~} entities associated with prescribers and to alternative channels of distribution, may not also sell

20 that brand to the same patient unless it is certified at the time of sale;

2. Page 2, Lines 55 through 56:

55 (1) "Alternative channels of distribution" means {~~a~~} any mail order company, Internet

56 retailer, pharmacy, buying club, department store, or mass merchandise outlet, without regard

3. Page 3, Lines 74 through 75:

74 (d) keratoconus lenses
(e) custom soft toric lenses that are manufactured for an individual patient and are not mass marketed or mass produced; and
(f) custom designed lenses that are manufactured for an individual patient and are not mass marketed or mass produced .

75 (3) This section supercedes conflicting sections.

4. Page 3, Lines 81 through 82:

81 reasonable and nondiscriminatory manner to prescribers and entities associated with prescribers

82 and {~~directly~~} to {~~, and generally within, all~~} alternative channels of distribution.

5. Page 3, Lines 83 through 86:

83 (2) If a manufacturer certifies its lenses under Subsection (1), it shall also file a copy of

84 the affidavit required under Subsection (1) with the {~~State Board of Optometry~~} Optometrist Licensing Board and the {~~State~~}

85 {~~Boardof~~} {~~Medical~~} {~~Examiners~~} Physicians Licensing Board .

86 (3) Subsections (1) and (2) also apply any time a brand is made available.

6. Page 4, Lines 89 through 91:

89 (a) the Attorney General;

90 (b) the {~~State Board of Optometry~~} Optometrist Licensing Board ; and

91 (c) the {~~State~~} {~~Board of Examiners~~} Physicians Licensing Board .

7. Page 4, Lines 94 through 96:

94 (1) In order for a prescriber to determine which brands of contact lenses may be

95 prescribed and sold to the same patient under this part, the {~~State Board of Optometry~~} Optometrist Licensing Board and the

96 {~~State~~} {~~Board of~~} {~~Medical~~} {~~Examiners~~} Physicians Licensing Board shall

Senator Bramble's motion to amend passed on a voice vote. Senators Thomas, Hatch, Knudson, and Jenkins commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Bell	Hatch	Hillyard	Jenkins
Knudson			

Absent or not voting was: Senator

Buttars

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 17, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives S. Wyatt, B. Dee, and R. Romero to meet with a like committee from the Senate to consider or amend **S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, by Senator G. Bell.

Sandy D. Tenney, Chief Clerk

On motion of Senator Bell, the Senate voted to refuse to recede from its amendments to **S.B. 148**. President Valentine appointed a conference committee consisting of Senators Bell, Thomas, and Arent to meet with a like committee from the House.

* * *

Mr. President: February 17, 2006

The Speaker of the House has signed **1st Sub. S.B. 61**, UNIFORM MEDIATION ACT, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 67**, CONSERVATION EASEMENT RESTRICTED ACCOUNTS, by Senator B. Evans, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 117**, EMINENT DOMAIN AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 153**, UNIFORM ENVIRONMENTAL COVENANTS ACT, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 182**, DIRECT SALES AMENDMENTS, by Senator M. Madsen, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 61, S.B. 67, S.B. 117, S.B. 153, and **S.B. 182** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 17, 2006

The House passed **H.B. 114**, MINIMUM ENFORCEMENT OF FOOD SANITATION RULES, by Representative S. Clark, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 338**, PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY, by Representative J. Dougall, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.J.R. 1**, RESOLUTION REGARDING PROPERTY TAX ON PERSONAL PROPERTY, by Representative J. Dougall, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 114, 2nd Sub. H.B. 338,** and **2nd Sub. H.J.R. 1** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Hatch, the Senate voted to suspend the rules and consider House bills on a Senate bill day.

SECOND READING CALENDAR

H.B. 323, INDIVIDUAL INCOME TAX RATE REDUCTION, was read the second time.

On motion of Senator Hatch, the following substitute bill replaced the original bill:

2nd Sub. H.B. 323 Individual Income Tax Rate Reduction (J. Ferrin)

Senator Hatch explained the bill. Senators Thomas, Arent, Hickman, Hillyard, McCoy, Waddoups, Jenkins, and Bell commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 3; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Hale	McCoy

* * *

On motion of Senator Knudson and at 4:10 p.m., the Senate adjourned until 9:30 a.m., Monday, February 20, 2006.

FEBRUARY 20, 2006

THIRTY−SIXTH DAY

MORNING SESSION

The Senate was called to order at 10:05 a.m., with President John Valentine presiding.

Prayer − Craig Hitchcock, Second Counselor in the Nephi Utah Stake of the Church of Jesus Christ of Latter−Day Saints
Pledge of Allegiance − Senator Beverly Evans
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

A violin solo was presented by Ashley Boulter, Utah's Junior Miss

COMMITTEE OF THE WHOLE

On motion of Senator Eastman, "Abraham Lincoln" (portrayed by Mark Bezzert) spoke in Committee of the Whole.

On motion of Senator Eastman, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 17, 2006

The House passed, as substituted and amended, **1st Sub. H.B. 77**, SCHOOL DISTRICT BOUNDARIES, by Representative D. Cox, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 129**, PUBLIC HEALTH AMENDMENTS, by Representative B. Last, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 151**, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, by Representative M. Dayton, and it is transmitted for consideration; and

The House passed **H.B. 357**, WATER ISSUES TASK FORCE, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.J.R. 26**, RESOLUTION URGING CONGRESS TO APPROPRIATE ADEQUATE FUNDS FOR MEDICARE PRESCRIPTION DRUG COVERAGE COUNSELING, by Representative T. Cosgrove, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 77, H.B. 129, 1st Sub. H.B. 151, H.B. 357,** and **H.J.R. 26** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 17, 2006

The Business and Labor Committee reports a favorable recommendation on **S.B. 234**, SERVICING OF HEATING OR COOLING DUCT SYSTEMS, by Senator P. Hellewell; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 72**, WORKERS' COMPENSATION FOR THE STATE, by Representative G. Snow, with the following amendments:

1. Page 2, Line 53:

53 (6) No two directors may represent <u>or be employed by</u> the same policyholder ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 241**, INDUSTRIAL PROTECTION ACT, by Representative R. Menlove.

Scott K. Jenkins, Chair

Mr. President: February 17, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 22**, UTAH CHILD ABUSE PREVENTION BOARD, by Representative P. Ray.

Allen M. Christensen

Mr. President: February 17, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 110**, AIRPORT SECURITY AMENDMENTS, by Representative G. Hughes; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 220**, CHILD PROTECTION −

GANG ASSOCIATION, by Representative E. Hutchings, with the following amendments:

1. Page 1, Lines 18a through 18e
House Floor Amendments 2−9−2006:

18a {~~• permits the parent's child to associate with a gang while the gang, or any member~~

18b ~~of the gang, is engaged in criminal conduct in the presence of the minor, or associates with a~~

18c ~~gang in the presence of the parent's child while the gang, or any member of the gang, is~~

18d ~~engaged in criminal conduct in the presence of the child; and~~

18e ~~• knew or should have known that the conduct described above was occurring:~~ } ←Ĥ

2. Page 5, Lines 126a through 126j
corrected − House Floor Amendments 2−9−2006:

126a {~~(I) (Aa) permits the parent's child to associate with a gang while the gang, or any~~

126b ~~member of the gang, is engaged in criminal conduct in the presence of the child; and~~

126c ~~(Bb) knew or should have known that the parent's child associated with the gang, or~~

126d ~~any member of the gang, while the gang, or member of the gang, was engaged in criminal~~

126e ~~conduct in the presence of the child; or~~

126f ~~(II) (Aa) associates with a gang in the presence of the parent's child while the gang, or~~

126g ~~any member of the gang, is engaged in criminal conduct in the presence of the child; and~~

126h ~~(Bb)knew or should have known that the parent associated with a gang in the presence~~

126i ~~of the parent's child while the gang, or any member of the gang, was engaged in criminal~~

126j ~~conduct in the presence of the child.~~ } ←Ĥ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 266**, FIRE ALARM SYSTEM CERTIFICATION REQUIREMENTS, by Representative J. Murray.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 234, 1st Sub. H.B. 72,** as amended, **H.B. 241, H.B. 22, H.B. 110, 1st Sub. H.B. 220,** as amended, and **H.B. 266,** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 17, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 262**, RESPIRATORY CARE AMENDMENTS, by Representative B. Last, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

Mr. President: February 17, 2006

The Education Committee reports a favorable recommendation on **H.J.R. 15**, JOINT RESOLUTION RAISING PUBLIC AWARENESS OF VITAL ROLE OF PARAEDUCATORS, by Representative R. Menlove, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 3, Line 65
House Committee Amendments
2−13−2006:

65 Education Coalition <u>and education community</u> , the Utah Parent Teacher Association, the Utah State Board of Education.

David L. Thomas, Chair

Mr. President: February 17, 2006

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 383**, VEHICLES USED FOR AGRICULTURAL PURPOSES, by Representative K. Gibson, and recommends it be considered read for the second time and placed on the Consent Calendar.

Michael G. Waddoups, Chair

Mr. President: February 17, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 195**, CRIMINAL PROCEDURE

AMENDMENT, by Representative S. Wyatt, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 247**, PLEA IN ABEYANCE FEE, by Representative M. S. Lawrence, and recommends it be considered read for the second time and placed on the Consent Calendar.

Greg Bell, Vice−Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 262, H.J.R. 15,** as amended, **H.B. 383, H.B. 195,** and **1st Sub. H.B. 247** were considered read the second time and placed on the Consent Calendar.

INTRODUCTION OF BILLS

S.B. 245, **Redevelopment Agency Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.J.R. 7, RESOLUTION OPPOSING UNITED STATES SUPREME COURT'S PORNOGRAPHY DECISION, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Arent	Hillyard	McCoy	Peterson
Stephenson			

H.J.R. 7 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 218, SCHOOLS FOR THE DEAF AND BLIND SALARY ADJUSTMENT, was read the third time, explained by Senator Hale, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Arent	Hillyard	Peterson	Stephenson

H.B. 218 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

S.B. 269, SECURITIES AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Hickman	Hillyard	Peterson

S.B. 269 was transmitted to the House for consideration.

* * *

H.B. 103, CHANGES TO DEFINITIONS OF A CHILD AND A MINOR, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Hillyard

H.B. 103 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

S.B. 195, CHILD SUPPORT GUIDELINES, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Voting in the negative were: Senators
Bramble Valentine

Absent or not voting was: Senator
Hillyard

S.B. 195 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 176, CONTACT LENS CONSUMER PROTECTION ACT, was read the third time and explained by Senator Bramble.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 23 through 24

23 made available to all prescribers;
provides for manufacturer's conduct;

24 ▶ provides prohibitions; and

2. Page 2, Line 56 through Page 3, Line 62:

56 retailer, pharmacy, buying club, department store, or mass merchandise outlet, without regard

57 to whether it is associated with a prescriber , unless the account meets the definition of a competitor as provided for in this section .

58 (2) "Brand" means manufacturer's brand or equivalent brand of the same lens made by

59 the same manufacturer under federal law.
(3) "Competitor " means an entity that manufactures contact lenses and wholesales those lenses in direct competition with any other manufacturer within the state.

60 {~~(3)~~} (4) "Manufacturer" means a manufacturer, its parents, subsidiaries, affiliates,

61 successors, and assigns.

62 {~~(4)~~ } (5) "Prescriber" means an individual licensed or authorized to prescribe contact

3. Page 3, Lines 68 through 69:

68 that brand to the same patient or have a financial or legal relationship with any other person or entity

69 who sells the brand to the same patient.

4. Page 4, Lines 106 through 116:

106 discriminate based on whether the {~~channel of trade~~ } account is directly or indirectly affiliated with a

107 prescriber.

108 (2) Subject to the limitation of Subsection (1), nothing in Sections 58−16a−905 and

109 58−16a−906 is intended to require a manufacturer to:
(a) sell to a competitor;

110 {~~(a)~~} (b) sell contact lenses to different contact lens distributors or customers at the same

111 price;

112 {~~(b)~~} (c) open or maintain any account for a contact lens seller found to be in violation of

113 applicable state and federal laws regarding the sale of contact lenses;

114 {~~(c)~~} (d) decide whether {~~its~~} a low volume account with a contact lens seller is a direct account or handled

115 through a distributor; or

116 {~~(d)~~} (e) sell lenses that are being test marketed on a limited basis in one geographic area

Senator Bramble's motion to amend passed on a voice vote. Senators Jenkins, Arent, Knudson, Killpack, and Bell commented and the bill passed on the following roll call:

Yeas, 19; Nays, 8; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hellewell	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Walker	Valentine	

Voting in the negative were: Senators

Bell	Hale	Hatch	Hillyard
Jenkins	Killpack	Knudson	Thomas

Absent or not voting were: Senators

Hickman	Waddoups

1st Sub. S.B. 176, as amended, was transmitted to the House for consideration.

* * *

2nd Sub. H.B. 323, INDIVIDUAL INCOME TAX RATE REDUCTION, was read the third time.

On motion of Senator Hatch, the bill was circled.

SECOND READING CALENDAR

S.B. 191, SERVICE CONTRACTS ACT AMENDMENTS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker

Absent or not voting were: Senators

Buttars	Goodfellow	Hillyard	Thomas
Valentine			

* * *

S.B. 205, REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Hickman	Hillyard	Valentine

* * *

S.B. 222, OUTDOOR ADVERTISING − HEIGHT ADJUSTMENT OF SIGNS, was read the second time. Senator Hellewell explained the bill. Senators

Arent and Mansell commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Voting in the negative were: Senators

Arent	Hale

Absent or not voting were: Senators

Bramble	Valentine

* * *

1st Sub. S.B. 86, AMENDMENTS TO CHILD CARE, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Bramble	Eastman	Valentine

* * *

S.B. 204, HIGH SCHOOL GRADUATION AMENDMENTS, was read the second time. Senator Madsen explained the bill.

Senator Madsen proposed the following amendment:

1. Page 3, Lines 59 through 61
   Senate Committee Amendments
   2−9−2006

   59 (1) A student enrolled in a high school in this state {~~Ŝ➔ [may] shall ←Ŝ receive Ŝ➔ , upon~~

   59a ~~request of the student's parent or guardian, ←Ŝ a diploma from the~~

   60 ~~high school in which the student is enrolled,~~ } and a student that attends a home school Ŝ➔ [~~may~~]

   60a shall, upon request of the student's parent or guardian, ←Ŝ

   61 receive a diploma {~~from the student's school district of residence~~ } issued by the State Board of Education , if the student:

2. Page 3, Line 67
   Senate Committee Amendments
   2−9−2006:

   67 different administrations of the ACT.
   (3) A diploma issued by the State Board of Education pursuant to this section shall indicate the recipient has met state high school graduation requirements by demonstrating mastery of knowledge and skills through assessments.

Senator Madsen's motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following substitute amendment:

1. Page 3, Line 67:
   Amendment 2
   2−17−2006
   After "met" insert "certain academic"

Senator McCoy's motion to amend failed on a voice vote.

# # #

Senator Jenkins proposed the following amendment:

1. Page 3, Line 62:
   After "Section 53A−1−611;" delete "and" and insert "or"

Senator Jenkins' motion to amend failed on a voice vote. Senators Arent, Hale, Eastman, Buttars, McCoy, Thomas, Mansell, and Killpack commented. Senator Killpack declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Evans	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Absent or not voting was: Senator
Hillyard

* * *

On motion of Senator Bramble, the Senate voted to reconsider its action on **1st Sub. S.B. 176** for the purpose of a corrected amendment. The amendment was not voted on in its entirety on the first vote. The amendment passed on a voice vote. The bill, as amended, passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hellewell	Hickman
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Bell	Hale	Hatch	Jenkins
Killpack	Knudson	Thomas	

Absent or not voting was: Senator
Hillyard

1st Sub. S.B. 176, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Waddoups the Senate voted to lift **S.B. 245** from Rules and assign the bill to the Revenue and Taxation Standing Committee.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 2006

The House passed, **S.B. 116**, DEPARTMENT OF FINANCIAL INSTITUTION'S FEES, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 162**, DEPARTMENT OF FINANCIAL INSTITUTIONS ENFORCEMENT OF APPLICABLE LAW, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 183**, UTAH EMERGENCY MEDICAL SERVICES ACT AMENDMENTS, by Senator D. Eastman, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 116, S.B. 162, and **1st Sub. S.B. 183** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 20, 2006

The House concurred in the Senate amendments and passed **H.B. 30**, EMANCIPATION OF A MINOR, by Representative R. McGee, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 40**, EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES AND ACTIVITIES, by Representative J. S. Adams, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 46**, ENERGY POLICY AMENDMENTS, by Representative R. Barrus, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 287**, WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS, by Representative C. Buttars, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 289**, UTAH EDUCATION NETWORK AMENDMENTS, by Representative K. Holdaway, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 30, H.B. 40, 3rd Sub. H.B. 46, 1st Sub. H.B. 287,** and **H.B. 289** were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 20, 2006

The House passed **H.B. 140**, AMENDMENTS TO COMMERCIAL DRIVER LICENSE PROVISIONS, by Representative J. Alexander, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 428**, CONSUMER SALES PRACTICES ACT AMENDMENTS, by Representative M. S. Lawrence, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 140** and **H.B. 428** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 3:15 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 2006

The House passed, as substituted, **1st Sub. H.B. 148**, PARENT AND CHILD AMENDMENTS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed **H.B. 167**, SCHOOL UNIFORMS, by Representative C. Frank, and it is transmitted for consideration; and

The House passed **H.B. 192**, INSTRUCTIONAL MATERIALS FOR DISABLED STUDENTS, by Representative D. G. Buxton, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 148, H.B. 167,** and **H.B. 192** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 20, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 260**, CAPITOL PRESERVATION BOARD REVISIONS, by Senator B. Evans, et al; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 117**, GRAMA RECORDS COMMITTEE APPEAL, by Representative C. Moss; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 132**, LOCAL LAND USE REQUIREMENTS, by Representative M. Morley; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 352**, STATE BUDGET PROVISIONS, by Representative M. Dayton, et al.

Parley G. Hellewell, Chair

Mr. President: February 20, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 95**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, by Representative M. Noel.

Curtis S. Bramble, Chair,

Mr. President: February 20, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 247**, HILL AIR FORCE BASE MUSEUM FUNDING, by Senator A. Christensen.

Carlene M. Walker, Chair

On motion of Senator Knudson, the committee reports were adopted. **S.B. 260, H.B. 117, 1st Sub. H.B. 132, H.B. 352, H.B. 95,** and **S.B. 247** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 20, 2006

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 188**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, by Representative C. Frank, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 316**, ADMINISTRATIVE RULES PROCEDURE AMENDMENTS, by Representative D. Ure, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 348**, ELECTION CODE − ELECTRONIC VOTING PROCEDURES AND REQUIREMENTS, by Representative D. Aagard, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 3, Lines 62 through 63:

62 Other Special Clauses:

63 {~~None~~} This bill coordinates with S.B. 10 by providing technical changes.

2. Page 71, Lines 2183 through 2184:

2183 This bill repeals:

2184 Section 20A−6−104, Electronic ballots and electronic voting.
Section 35. Coordinating H.B. 348 with S.B. 10 −− Technical changes.

If this H.B. 348 and S.B. 10, Provisional Ballot Amendments, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication make the following changes:

(1) change the language in Subsection 20A−3−104.5(1)(c) from "election judge" to "poll worker";

(2) change the language in Subsection 20A−3−104.5(2)(b)(i) from "judge" to "poll worker"; and

(3) change the language in Subsection 20A−3−202(4) from "election judge" to "poll worker".

Parley G. Hellewell, Chair

Mr. President: February 20, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 294**, CREATION OF EDUCATION FUND, by Representative J. Alexander, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 396**, AMENDMENTS TO THE PROPERTY TAX EXEMPTION FOR DISABLED VETERANS, by Representative M. Morley, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 188, H.B. 316, H.B. 348,** as amended, **H.B. 294,** and **H.B. 396** were considered read the second time and placed on the Consent Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 20, 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

H.B. 93 Clean Fuel Vehicle Fund Amendments (Rep. J. Gowans)

1st Sub. H.B. 138	Mercury Switch Removal Act (Rep. R. Menlove)
1st Sub. H.B. 160	Construction Standard Amendments (Rep. M. Morley)
H.B. 357	Water Issues Task Force (Rep. D. Ure)
H.B. 444	Irrigation Companies − Nonprofit Corporation Amendments (Rep. J. Gowans)

Education Committee

1st Sub. H.B. 151	Adjustments in Funding for Concurrent Enrollment (Rep. M. Dayton)
H.B. 326	New Century Scholarship Amendments (Rep. K. Holdaway)
H.B. 428	Consumer Sales Practices Act Amendments (Rep. M. S. Lawrence)

Government Operations/Political Subdivisions Committee

H.J.R. 26	Resolution Urging Congress to Appropriate Adequate Funds for Medicare Prescription Drug Coverage Counseling (Rep. T. Cosgrove)

Health and Human Services Committee

H.B. 114	Minimum Enforcement of Food Sanitation Rules (Rep. S. Clark)
H.B. 129	Public Health Amendments (Rep. B. Last)
1st Sub. H.B. 156	Health Insurance Accessibility (Rep. J. Dunnigan)

Revenue and Taxation Committee

2nd Sub. H.B. 338	Property Tax Exemption for Business Personal Property (Rep. J. Dougall)
2nd Sub. H.J.R. 1	Resolution Regarding Property Tax on Personal Property (Rep. J. Dougall)

Workforce Services and Community and Economic Development Committee

1st Sub. H.B. 158	Sex Offender Amendments (Rep. B. Dee)
H.B. 284	Veterinary Practice Act Amendments (Rep. J. Mathis)
1st Sub. H.B. 330	Allowance of State Memorials on State Property (Rep. W. Harper)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

SECOND READING CALENDAR

1st Sub. S.B. 88, DISCLOSURE OF DRIVER LICENSE RECORDS, was read the second time. Senator Madsen explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Evans	Mansell	Walker

INTRODUCTION OF BILLS

S.B. 233, **Sales and Use Tax Revisions** (C. Bramble), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Waddoups, **S.B. 233** was lifted from the Rules Committee and assigned to the Revenue and Taxation Standing Committee.

SECOND READING CALENDAR

S.B. 193, SPEED CONTEST OR EXHIBITION AMENDMENTS, was read the second time. Senator Hale explained the bill.

Senator Hale proposed the following amendment:

1. Page 1, Line 19

   19 released;
   ► provides that a person who violates the speed contest or exhibition of speed provision is guilty of a class B misdemeanor;

2. Page 3, Lines 64 through 70:

64 (1) A person may not[~~: (a)~~] engage in any motor vehicle speed contest or exhibition of

65 speed on a highway[~~; or~~]**.**

66 [~~(b) aid or abet in any motor vehicle speed contest or exhibition on any highway.~~]

67 (2) A person may not, in any manner, obstruct or place any barricade or obstruction or

68 assist or participate in placing any barricade or obstruction upon any highway for any purpose

69 prohibited under Subsection (1).

(3) A person who violates Subsection (1) is guilty of a class B misdemeanor.

70 {~~(3)~~} (4) (a) In addition to the penalty provided under this section or any other section, a

Senator Hale's motion to amend passed on a voice vote. Senators Hickman, McCoy, Killpack, and Waddoups commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Bramble	Hickman	Jenkins

Absent or not voting were: Senators

Mansell	Valentine

* * *

S.B. 224, MOTOR VEHICLE INSURANCE AMENDMENTS, was read the second time. Senator Killpack explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Bell	Mansell	Valentine

* * *

S.B. 256, TRANSIT SECURITY AMENDMENTS, was read the second time. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 9 through 10

9 This bill modifies the Utah Public Transit District Act and the Public Safety Code by amending provisions related

10 to transit security.

2. Page 1, Line 27 through Page 2, Line 28:

27 17A−2−1062, as last amended by Chapter 21, Laws of Utah 1999

53−13−103, as last amended by Chapter 296, Laws of Utah 2001

3. Page 2, Line 54:

54 vehicles.

Section 2. Section 53−13−103 is amended to read:

53−13−103. Law enforcement officer.

(1) (a) “Law enforcement officer” means a sworn and certified peace officer who is an employee of a law enforcement agency that is part of or administered by the state or any of its political subdivisions, and whose primary and principal duties consist of the prevention and detection of crime and the enforcement of criminal statutes or ordinances of this state or any of its political subdivisions.

(b) "Law enforcement officer" specifically includes the following:

(i) any sheriff or deputy sheriff, chief of police, police officer, or marshal of any county, city, or town;

(ii) the commissioner of public safety and any member of the Department of Public Safety certified as a peace officer;

(iii) all persons specified in Sections 23−20−1.5 and 63−11−17.2;

(iv) any police officer employed by any college or university;

(v) investigators for the Motor Vehicle Enforcement Division;

(vi) special agents or investigators employed by the attorney general, district attorneys, and county attorneys;

(vii) employees of the Department of Natural Resources designated as peace officers by law;

(viii) school district police officers as designated by the board of education for the school district;

(ix) the executive director of the Department of Corrections and any correctional enforcement or investigative officer designated by the executive director and approved by the commissioner of public safety and certified by the division;

(x) correctional enforcement, investigative, or adult probation and parole officers employed by the Department of Corrections serving on or before July 1, 1993;

(xi) members of a law enforcement agency established by a private college or university provided that the college or university has been certified by the commissioner of public safety according to rules of the Department of Public Safety; {~~and~~}

(xii) airport police officers of any airport owned or operated by the state or any of its political subdivisions {~~.~~} ; and

(xiii) transit police officers designated under Section 17A−2−1062.

(2) Law enforcement officers may serve criminal process and arrest violators of any law of this state and have the right to require aid in executing their lawful duties.

(3) (a) A law enforcement officer has statewide full−spectrum peace officer authority, but the authority extends to other counties, cities, or towns only when the officer is acting under Title 77, Chapter 9, Uniform Act on Fresh Pursuit, unless the law enforcement officer is employed by the state.

(b) (i) A local law enforcement agency may limit the

jurisdiction in which its law enforcement officers may exercise their peace officer authority to a certain geographic area.

(ii) Notwithstanding Subsection (3)(b)(i), a law enforcement officer may exercise his authority outside of the limited geographic area, pursuant to Title 77, Chapter 9, Uniform Act on Fresh Pursuit, if the officer is pursuing an offender for an offense that occurred within the limited geographic area.

(c) The authority of law enforcement officers employed by the Department of Corrections is regulated by Title 64, Chapter 13, Department of Corrections −− State Prison.

(4) A law enforcement officer shall, prior to exercising peace officer authority, satisfactorily complete:

(a) the basic course at a certified law enforcement officer training academy or pass a certification examination as provided in Section 53−6−206, and be certified; and

(b) annual certified training of at least 40 hours per year as directed by the director of the division, with the advice and consent of the council.

Senator Bramble's motion to amend passed on a voice vote. Senator Stephenson commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Hickman	Valentine

* * *

S.B. 167, JUVENILE OFFENSES − DIVERSION AMENDMENT, was read the second time. Senator Arent explained the bill. Senators Hillyard and Thomas commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting was: Senator
Valentine

* * *

S.B. 84, NONPROFIT ENTITY AMENDMENTS, was read the second time. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 7, Lines 204 through 206

   204 (32) "Mutual benefit corporation" means a nonprofit corporation all of whose assets are

   205 contributed or earned by or for the members of the nonprofit corporation to serve the { ~~collective~~ } mutual

   206 purposes of the members.

2. Page 10, Line 282:
   (44) "Shareholder" means the person in whose name a share is registered in the records of a nonprofit corporation.
   (45) "Share" means a unit of interest in a nonprofit corporation.

   282 [~~(43)~~] { ~~(44)~~ } (46) "State," when referring to a part of the United States, includes:

3. Page 10, Line 291:

   291 [~~(44)~~] { ~~(45)~~ } (47) "Street address" means:

4. Page 10, Line 301:

   301 [~~(45)~~] { ~~(46)~~ } (48) "United States" includes any district, authority, office, bureau, commission,

5. Page 10, Line 303:

303 [~~(46)~~] {~~(47)~~} (49) "Vote" includes authorization by:

6. Page 10, Line 306:

306 [~~(47)~~] {~~(48)~~} (50) (a) "Voting group" means all the members of one or more classes of

7. Page 12, Lines 358 through 363:

358 (2) A complainant may not commence or maintain a derivative proceeding unless the

359 complainant:

360 (a) {~~was once~~} is a voting member , or a director in a nonprofit corporation that {~~no longer~~

361 ~~has~~} does not have voting members , at the time the proceeding is brought; and

362 (b) fairly and adequately represents the nonprofit corporation's interests in enforcing

363 the nonprofit corporation's right.

8. Page 16, Lines 476 through 480:

476 (1) (a) A nonprofit corporation shall give to each director entitled to vote at an annual

477 meeting notice of the annual meeting consistent with the nonprofit corporation's bylaws in a fair and reasonable manner.

478 (b) {~~Except as otherwise provided in the bylaws, "fair and reasonable," as used in~~

479 ~~Subsection (1)(a), has the same meaning as set forth in **Subsection** 16-6a-704(3)(a), as the~~

480 ~~context permits.~~} Notice under Subsection (1)(a) is fair and reasonable if:

(a) the nonprofit corporation notifies each director of the place, date, and time of the annual meeting:

(i) no fewer than ten days before the meeting;

(ii) if notice is mailed by other than first-class or registered mail, no fewer than 30 days, nor more than 60 days before the meeting date; and

(iii) if notice is given by newspaper as provided in Subsection

16−6a−103(2), by publication three separate times with:

(A) the first of the publications no more than 60 days before the meeting date; and

(B) the last of the publications no fewer than ten days before the meeting date.

9. Page 18, Line 552 through Page 19, Line 557:

552 {~~[~~} (b) the breach or failure to perform constitutes:]

553 [(i) willful misconduct; {~~or~~}]

554 [(ii) intentional infliction of harm on:]

555 [(A) the nonprofit corporation; or]

556 [(B) the members of the nonprofit corporation {~~.~~} **;** **or** {~~]~~}

557 {~~(b)~~ } (iii) the breach or failure to perform constitutes gross negligence.

10. Page 23, Lines 679 through 680:

679 domestic nonprofit corporations, or foreign nonprofit corporations may merge into {~~another~~} a

680 nonprofit corporation:

11. Page 23, Lines 703 through 705:

703 (d) the manner and basis of converting in whole or part the shares or memberships [~~of~~

704 ~~each nonprofit corporation, if any,~~] if any, of each party to the merger into shares, memberships,

705 obligations, or other interests of:

12. Page 24, Lines 711 through 712:

711 (3) In addition to the provisions required by Subsection (2), the plan of merger may set

712 forth other provisions relating to the merger.

(4) One or more domestic corporations may merge into a domestic nonprofit corporation if:

(a) the board of directors of each participating domestic corporation adopts the plan of merger;

(b) the shareholders of each participating domestic corporation adopt the plan of merger in accordance with Section 16−10a−1103; and

(c) the merger is effected in compliance with Chapter 6a, Part 11, Merger.

13. Page 27, Line 807:

807 the merger that are to be converted into shares, memberships, obligations, or other interests of the

14. Page 27, Line 833 through Page 28, Line 836:

833 (2) A nonprofit corporation may make distributions upon dissolution:

834 {~~(a) in conformity with this chapter;~~ }

835 {~~(b)~~ } (a) to a member that is a domestic or foreign nonprofit corporation; {~~and~~ }

836 {~~(c)~~ } (b) to its members if it is a mutual benefit corporation {~~.~~ } ; and

(c) otherwise in conformity to this chapter.

(3) A mutual benefit corporation may purchase a member's membership in conformity with Section 16−6a−610 if, after the purchase is completed:

(a) the mutual benefit corporation would be able to pay its debts as they become due in the usual course of its activities; and

(b) the mutual benefit corporation's total assets would at least equal the sum of its total liabilities.

Senator Hillyard's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Hickman Valentine

INTRODUCTION OF BILLS

S.B. 201, **Anticamcorder Piracy** (G. Bell), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Knudson and at 4:05 p.m., the Senate adjourned until 9:00 a.m., Tuesday, February 21, 2006.

FEBRUARY 21, 2006

THIRTY−SEVENTH DAY

MORNING SESSION

The Senate was called to order at 9:30 a.m., with President John Valentine presiding.

Prayer − Bishop Omar Canals, Westland Ninth Ward, the Church of Jesus Christ of Latter−Day Saints
Pledge of Allegiance − Senator Al Mansell
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 20, 2006

The House passed, as substituted and amended, **1st Sub. H.B. 107**, FULL−DAY KINDERGARTEN, by Representative K. Holdaway, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 118**, UTAH HEALTH CARE WORKFORCE FINANCIAL ASSISTANCE ACT AMENDMENTS, by Representative J. Biskupski, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 161**, SEXUAL OFFENSES AGAINST CHILDREN − SENTENCING AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 299**, MEDICAL RECOMMENDATIONS FOR CHILDREN, by Representative M. Morley, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 305**, BOATING REGISTRATION FEE, by Representative D. Cox, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 317**, ADMINISTRATIVE RULE CRIMINAL PENALTY AMENDMENTS, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.B. 328**, ELIMINATING THE AGE REQUIREMENT FOR HUNTING SMALL GAME, by Representative C. Oda, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 329**, AGE AMENDMENTS FOR HUNTING BIG GAME, by Representative C. Oda, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 107, H.B. 118, H.B. 161, 1st Sub. H.B. 299, H.B. 305, 1st Sub. H.B. 317, H.B. 328,** and **H.B. 329** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 20, 2006

The House requests the return of **S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, by Senator L. Hillyard, for correction.

Sandy D. Tenney, Chief Clerk

Communications filed. **S.B. 37** was returned to the House.

CONSENT CALENDAR

H.B. 291, STATE TAX COMMISSION BONDING AND LICENSING AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Evans	Fife	Goodfellow
Hale	Hellewell	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	

Absent or not voting were: Senators

Bell	Dmitrich	Eastman	Hatch
Hickman	Hillyard	Mansell	Stephenson
Walker	Valentine		

H.B. 291 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 131, ECONOMIC DEVELOPMENT INCENTIVES, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Evans	Fife
Goodfellow	Hale	Hellewell	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Thomas	Waddoups

Absent or not voting were: Senators

Dmitrich	Eastman	Hatch	Hickman
Hillyard	Mansell	Stephenson	Walker
Valentine			

H.B. 131 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

S.B. 191, SERVICE CONTRACT ACT AMENDMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	

Absent or not voting were: Senators

Dmitrich	Eastman	Mansell	Stephenson
Walker	Valentine		

S.B. 191 was transmitted to the House for consideration.

* * *

S.B. 205, REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Thomas	Waddoups	

Voting in the negative was: Senator
Hillyard

Absent or not voting were: Senators

Eastman	Mansell	Stephenson	Walker
Valentine			

S.B. 205 was transmitted to the House for consideration.

* * *

S.B. 222, OUTDOOR ADVERTISING − HEIGHT ADJUSTMENT OF SIGNS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Evans	Goodfellow
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups			

Voting in the negative were: Senators

Arent	Fife	Hale

Absent or not voting were: Senators

Eastman	Hickman	Mansell	Walker
Valentine			

S.B. 222 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 86, AMENDMENTS TO CHILD CARE, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups			

Absent or not voting were: Senators

Eastman	Mansell	Walker	Valentine

1st Sub. S.B. 86 was transmitted to the House for consideration.

* * *

S.B. 204, HIGH SCHOOL GRADUATION AMENDMENTS, was read the third time and explained by Senator Madsen. Senator Hale commented and the bill passed on the following roll call:

Yeas, 17; Nays, 9; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Peterson	Stephenson	Thomas	Waddoups
Walker			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Mayne
McCoy			

Absent or not voting were: Senators

Eastman	Mansell	Valentine

S.B. 204 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 88, DISCLOSURE OF DRIVER LICENSE RECORDS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators
Eastman Valentine

1st Sub. S.B. 88 was transmitted to the House for consideration.

* * *

S.B. 193, SPEED CONTEST OR EXHIBITION AMENDMENTS, was read the third time, explained by Senator Hale, and passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Voting in the negative were: Senators
Jenkins Madsen

Absent or not voting were: Senators
Eastman Mansell Valentine

S.B. 193 was transmitted to the House for consideration.

* * *

S.B. 224, MOTOR VEHICLE INSURANCE AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Eastman	Mansell	Valentine

S.B. 224 was transmitted to the House for consideration.

* * *

S.B. 256, TRANSIT SECURITY AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Eastman	Mansell	Valentine

S.B. 256 was transmitted to the House for consideration.

* * *

S.B. 167, JUVENILE OFFENSES − DIVERSION AMENDMENTS, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Eastman	Mansell	Valentine

S.B. 167 was transmitted to the House for consideration.

* * *

S.B. 84, NONPROFIT ENTITY AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Bramble	Eastman	Mansell	Valentine

S.B. 84 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Dmitrich, the circle was removed from **S.B. 154**, SALES AND USE TAX EXEMPTION FOR CERTAIN ADMISSIONS TO OR

RIGHTS TO USE THE PREMISES OF A PRIVATE CLUB, and it was before the Senate. Senator Dmitrich explained the bill. Senator Dmitrich made the motion, under suspension of the rules, to amend the fiscal note on the bill down to $50,000. Senators Stephenson and Hillyard commented. The motion passed on a voice vote.

On motion of Senator Dmitrich, under suspension of the rules, **S.B. 154**, SALES AND USE TAX EXEMPTION FOR CERTAIN ADMISSIONS TO OR RIGHTS TO USE THE PREMISES OF A PRIVATE CLUB, was considered read the second and third times. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Buttars	Eastman	Mansell	Valentine

S.B. 154 , as amended, was transmitted to the House.

* * *

S.B. 220, TIE BIDS − PREFERENCE FOR IN−STATE COMMODITIES, was read the second time. Senator Peterson explained the bill. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Buttars	Davis	Eastman	Hale
Hillyard	Mansell	Valentine	

* * *

S.B. 249, COUNTY GOVERNMENT AMENDMENTS, was read the second time. Senator Peterson explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

Yeas, 22; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker		

Voting in the negative was: Senator
Thomas

Absent or not voting were: Senators

Buttars	Eastman	Hale	Hillyard
Mansell	Valentine		

* * *

S.B. 188, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Buttars	Eastman	Hale	Hickman
Mansell	Valentine		

* * *

S.B. 225, PAYMENT OF TAX OR BONDING IN TAX CASES, was read the second time. Senator Stephenson explained the bill. Senator Bramble commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Eastman	Hale

* * *

S.B. 202, USE OF OIL AND GAS TAX REVENUES, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

1st Sub. S.B. 232, AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION, was read the second time. Senator Mayne explained the bill.

Senator Mayne proposed the following amendment:

1. Page 4, Lines 88 through 90

88 (f) second[~~.~~]**;** **or**

89 {~~(g) ringside physician; or~~ }

90 {~~(h)~~ } (g) security guard.

2. Page 8, Line 214:

214 necessary.

(3)(a) The commission shall maintain a list of ringside physicians

registered with the commission as approved to act as a ringside physicians and meeting the requirements of Section 13−33−301(8).

(b) The commission shall appoint a registered ringside physician to perform the duties a a ringside physician at each contest held pursuant to this chapter.

(c) An applicant for registration as a ringside physician shall:

(i) submit an application for registration;

(ii) pay a fee determined by the commission under Section 63−38−3.2;

(iii) provide the commission with evidence of the applicant's licensure to practice medicine in the state; and

(iv) satisfy minimum qualifications established by the department by rule.

3. Page 8, Lines 228 through 230:

228 (f) judge[~~.~~]; or

229 {~~(g) ringside physician; or~~ }

230 {~~(h)~~ } (g) security guard.

4. Page 9, Lines 238 through 240:

238 (f) judge[~~.~~]; or

239 {~~(g) ringside physician; or~~ }

240 {~~(h)~~ } (g) security guard.

5. Page 13, Line 397 through Page 14, Line 403:

397 {~~(8) Each applicant for licensure as a ringside physician shall:~~

398 ~~(a) submit an application in a form prescribed by the commission;~~

399 ~~(b) pay the fee determined by the department under Section 63−38−3.2;~~

400 ~~(c) provide the commission with evidence of the applicant's license to practice~~

401 ~~medicine in the state; and~~

402 ~~(d) satisfy minimum qualifications established by commission rule.~~ }

403 {~~(9)~~} (8) Each applicant for licensure as a security guard shall:

6. Page 14, Line 408:

408 {~~(10)~~} (9) (a) A licensee serves at the pleasure, and under the direction, of the commission

7. Page 18, Line 528:

528 (f) the name of the physician selected from among a list of {~~licensed~~} registered and

Senator Mayne's motion to amend passed on a voice vote. Senator Bramble commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hale	Stephenson

* * *

S.B. 196, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hale	Killpack
Stephenson			

* * *

S.B. 209, WASTE FEE AMENDMENTS, was read the second time. Senator Eastman explained the bill.

Senator Eastman proposed the following amendment:

1. Page 2, Line 30

   30 {~~None~~} This bill takes effect on July 1, 2006.

2. Page 10, Line 292:

   292 Atomic Energy Act, 42 U.S.C. Sec. 2014 and 2021 through 2114.
   Section 4. Effective date
   This bill takes effect on July 1, 2006.

3. Page 9, Line 249:
   After "stream" delete "and" and insert "or"

Senator Eastman's motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

TIME CERTAIN

A citation was given to Fred Adams recognizing his retirement as the director of the Shakespearean Festival in Cedar City.

SECOND READING CALENDAR

S.B. 215, ELECTRONIC WASTE TASK FORCE AND MORATORIUM ON ELECTRONIC WASTE DISPOSAL, was read the second time. Senator McCoy explained the bill. Senators Hale and Valentine commented. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 6; Absent, 3.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Bramble	Buttars	Evans	Mansell
Stephenson	Valentine		

Absent or not voting were: Senators

Bell	Hillyard	Peterson

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2006

The House passed **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING CONTRIBUTIONS OF FRED C. ADAMS, by Representative D. Bowman, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.C.R. 6** was read the first time and referred to the Rules Committee.

On motion of Senator Waddoups the Senate voted to lift **H.C.R. 6** from the Rules Committee and place it at the top of the Second Reading Calendar.

On motion of Senator Hatch, under suspension of the rules, the Senate voted to consider House bills on a Senate bill day.

On motion of Senator Hatch, under suspension of the rules, **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING CONTRIBUTIONS OF FRED C. ADAMS, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Hillyard	Madsen	Peterson

H.C.R. 6 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

S.B. 107, TITLE TO MANUFACTURED HOUSING OR MOBILE HOMES, was read the second time. Senator Hatch explained the bill.

Senator Hatch proposed the following amendment:

1. Page 1, Line 13
   Senate Committee Amendments
   2−14−2006

   13 This bill:
   ▶ requires an owner of a manufactured home or mobile home to apply to the Motor Vehicle Division for a certificate of title unless the manufactured home or mobile home is previously registered as real property;

2. Page 1, Line 18
   a. Senate Committee Amendments
   b. 2−14−2006:

   18 • the manufacturer's identification Ŝ➔ [~~number is~~] number or numbers are ←Ŝ included in the

3. Page 2, Line 29f
   a. Senate Committee Amendments
   b. 2−14−2006:

29f mobile home is previously registered as real property under Subsection 41−1a−506(1).

4. Page 2a, Line 44:

44 Ŝ➔ [~~(C)~~] (D) ←Ŝ the manufacturer's identification Ŝ➔ [~~number is~~] number or numbers are ←Ŝ

Senator Hatch's motion to amend passed on a voice vote. Senators Mayne and Fife commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Bramble	Buttars	Hickman
Hillyard	Killpack		

* * *

S.B. 212, VETERAN SURVIVOR AND DEPENDENT HIGHER EDUCATION BENEFIT, was read the second time. Senator McCoy explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Hickman	Killpack

* * *

1st Sub. S.B. 268, PROPERTY RIGHTS OMBUDSMAN, was read the second time.

On motion of Senator Mansell, the bill was circled.

* * *

1st Sub. S.B. 267, CHANGES TO LOCAL GOVERNMENT PROVISIONS, was read the second time. Senator Mansell explained the bill.

Senator Mansell proposed the following amendment:

1. Page 1, Line 19

19 applications with reasonable diligence;
▶ expands the definition of "public safety facility" for impact fee purposes to include certain fire suppression equipment;
▶ provides that a local political subdivision may impose an impact fee for a public safety facility that is a fire suppression vehicle in commercial areas only;

2. Page 2, Line 36:

36 10−9a−603, as renumbered and amended by Chapter 254, Laws of Utah 2005
11−36−102, as last amended by Chapter 239, Laws of Utah 2002

3. Page 11, Lines 330 through 331:

330 (b) An owner's failure to record a plat within the time period designated by ordinance

331 renders the plat voidable.
Section 7. Section 11−36−102 is amended to read:
11−36−102. Definitions.
As used in this chapter:
(1) "Building permit fee" means the fees charged to enforce the uniform codes adopted pursuant to Title 58, Chapter 56, Utah Uniform Building Standards Act, that are not greater than the fees indicated in the appendix to the Uniform Building Code.
(2) "Capital facilities plan" means the plan required by Section 11−36−201.
(3) "Development activity" means any construction or

expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

(4) “Development approval” means any written authorization from a local political subdivision that authorizes the commencement of development activity.

(5) “Enactment” means:

(a) a municipal ordinance, for municipalities;

(b) a county ordinance, for counties; and

(c) a governing board resolution, for special districts.

(6) “Hookup fees” means reasonable fees, not in excess of the approximate average costs to the political subdivision, for services provided for and directly attributable to the connection to utility services, including gas, water, sewer, power, or other municipal, county, or independent special district utility services.

(7) (a) “Impact fee” means a payment of money imposed upon development activity as a condition of development approval.

(b) “Impact fee” does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.

(8) (a) “Local political subdivision” means a county, a municipality, or a special district created under Title 17A, Special Districts.

(b) “Local political subdivision” does not mean school districts, whose impact fee activity is governed by Section 53A−20−100.5.

(9) “Private entity” means an entity with private ownership that provides culinary water that is required to be used as a condition of development.

(10) (a) “Project improvements” means site improvements and facilities that are:

(i) planned and designed to provide service for development resulting from a development activity; and

(ii) necessary for the use and convenience of the occupants or users of development resulting from a development activity.

(b) “Project improvements” does not mean system improvements.

(11) “Proportionate share” means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.

(12) “Public facilities” means only the following capital

facilities that have a life expectancy of ten or more years and are owned or operated by or on behalf of a local political subdivision or private entity:

(a) water rights and water supply, treatment, and distribution facilities;

(b) wastewater collection and treatment facilities;

(c) storm water, drainage, and flood control facilities;

(d) municipal power facilities;

(e) roadway facilities;

(f) parks, recreation facilities, open space, and trails; and

(g) public safety facilities.

(13) (a) "Public safety facility" means :

(i) a building constructed or leased to house police, fire, or other public safety entities {.} ; or

(ii) a fire suppression vehicle, costing in excess of $1,000,000, that is necessary for fire suppression in commercial areas.

(b) "Public safety facility" does not mean a jail, prison, or other place of involuntary incarceration.

(14) (a) "Roadway facilities" means streets or roads that have been designated on an officially adopted subdivision plat, roadway plan, or general plan of a political subdivision, together with all necessary appurtenances.

(b) "Roadway facilities" includes associated improvements to federal or state roadways only when the associated improvements:

(i) are necessitated by the new development; and

(ii) are not funded by the state or federal government.

(c) "Roadway facilities" does not mean federal or state roadways.

(15) (a) "Service area" means a geographic area designated by a local political subdivision on the basis of sound planning or engineering principles in which a defined set of public facilities provide service within the area.

(b) "Service area" may include the entire local political subdivision.

(16) (a) "System improvements" means:

(i) existing public facilities that are designed to provide services to service areas within the community at large; and

(ii) future public facilities identified in a capital facilities plan that are intended to provide services to service areas within the community at large.

(b) "System improvements" does not mean project improvements.

Renumber remaining sections accordingly.

4. Page 14, Line 423:

423 (7) Notwithstanding any other provision of this chapter {~~, municipalities~~} :
(a) a municipality imposing

5. Page 14, Line 425:

425 fire trucks until July 1, 1997 {~~.~~} ; and
(b) an impact fee to pay for a public safety facility that is a fire suppression vehicle may not be imposed with respect to land that has a zoning designation other than commercial.

Senator Mansell's motion to amend passed on a voice vote. Senators Jenkins and Hale commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Bell	Bramble	Hickman	Killpack
Valentine			

* * *

On motion of Senator Mansell, the circle was removed from **1st Sub. S.B. 268**, PROPERTY RIGHTS OMBUDSMAN, and it was before the Senate. Senator Mansell explained the bill.

Senator Mansell proposed the following amendment:

1. Page 2, Line 36

36 13−42−206, Utah Code Annotated 1953
REPEALS:
63−34−13, as last amended by Chapters 90 and 223, Laws of Utah 2004

2. Page 3, Lines 58 through 67:

58 13−42−201. Office of the Property Rights Ombudsman.

59 (1) There is created an Office of the Property Rights Ombudsman in the Department of

60 Commerce.

61 (2) The executive director of the Department of Commerce, with the concurrence of

62 the Land Use and Eminent Domain Advisory Board created in Section 13−42−202, shall appoint

63 {~~an attorney~~} attorneys with background or expertise in takings, eminent domain, and land use law to fill

64 {– the position–} legal positions within the Office of the Property Rights Ombudsman .

65 (3) The person appointed under this section is an exempt employee.

66 (4) {~~Subject to Subsection 13−42−202(8), the executive director of the Department of~~

67 ~~Commerce may hire attorneys, clerks, interns, or other personnel to assist the appointee~~} An attorney appointed under this section is an at−will employee who may be terminated without cause by:
(a) the executive director of the Department of Commerce; or
(b) an action of the Land Use and Eminent Domain Advisory Board .

3. Page 3, Lines 71 through 74:

71 (1) There is created the Land Use and Eminent Domain Advisory Board, within the

72 Office of the Property Rights Ombudsman, consisting of the following seven members :

73 (a) one individual representing {~~professional planners~~} special service districts , nominated by the Utah
{~~Chapter~~

74 ~~of the American Planning Association~~ } Association of Special Districts ;

4. Page 3, Lines 83 through 84:

83 (f) one individual representing the land development community, nominated by { ~~Utah~~

84 ~~farm organizations~~ } the Utah Property Rights Coalition ; and

5. Page 4, Line 88:

88 (iii) is not currently employed, nor has been employed in the previous { ~~twelve~~ } 12 months,

6. Page 4, Line 114 through Page 5, Line 119:

114 { ~~(8) (a) The board shall advise the Office of the Property Rights Ombudsman on the~~

115 ~~conduct of his office and the performance of its duties.~~

116 ~~(b) The Office of the Property Rights Ombudsman and attorneys working in the Office~~

117 ~~of the Property Rights Ombudsman serve at the pleasure of the board.~~

118 ~~(c) The Office of the Property Rights Ombudsman and attorneys working in the Office~~

119 ~~of the Property Rights Ombudsman may not be removed without the concurrence of the board.~~ } (8) The board shall:

(a) receive reports from the Office of the Property Rights Ombudsman that are requested by the board;

(b) establish rules of conduct and performance for the Office of the Property Rights Ombudsman;

(c) receive donations or contributions from any source for the Office of the Property Rights Ombudsman's benefit;

(d) subject to any restriction placed on a donation or contribution received under Subsection (c), authorize the expenditure of donations or contributions for the Office of the Property Rights Ombudsman's benefit;

(e) receive budget recommendations from the Office of the Property Rights Ombudsman; and

(f) revise budget recommendations received under Subsection (e).

7. Page 6, Line 146:

146 third {~~=~~ } party rendering an advisory opinion under Section 13−42−205 or 13−42−206, may be

8. Page 9, Line 252
a. Senate Committee Amendments
b. 2−15−2006:

252 (1) A request for an advisory opinion under Section 13−42−205 shall be:

9. Page 9, Line 254
a. Senate Committee Amendments
b. 2−15−2006:

254 (b) accompanied by a filing fee of $150 {~~.00~~ } .

10. Page 9, Line 269
a. Senate Committee Amendments
b. 2−15−2006:

269 pursuant to {~~subsections~~ } Subsections (4) and (5), the Office of the Property Rights Ombudsman shall appoint

11. Page 10, Line 274:

274 (8) The neutral third party shall comply with the provisions of Section {~~78−31c−109~~ } 78−31a−109 , and

12. Page 10, Lines 301 through 303
Senate Committee Amendments
2−15−2006:

301 (13) Unless filed by the local government, a request for an advisory opinion under

302 Section 13−42−205 does not stay the progress of a land use application, or the effect of a land

303 use decision.
Section 9. Repealer.
This bill repeals:
Section 63−34−13, Property rights ombudsman −− Powers −− Arbitration procedures.

Senator Mansell's motion to amend passed on a voice vote. Senators Arent, Bell, and Thomas commented. Senator Thomas declared a conflict of interest. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2006

The House passed, **S.B. 177**, WATER RIGHT APPLICATION AMENDMENT, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 180**, MOTOR VEHICLE LEASE AGREEMENTS, by Senator M. Madsen, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 186**, REVOCATION OF DEATH BENEFITS BY DIVORCE, by Senator K. Hale, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 177, S.B. 180, and **S.B. 186** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 21, 2006

The House passed, as substituted, **2nd Sub. H.B. 124**, PARENT−TIME AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 137**, MEDICATION AIDE CERTIFIED, by Representative R. Lockhart, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 145**, RANGELAND IMPROVEMENT ACT, by Representative B. Johnson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 124, H.B. 137,** and **H.B. 145** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:45 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2006

The House passed, as substituted and amended, **1st Sub. H.B. 139**, STATE ANTIQUITIES AND HISTORIC SITES AMENDMENTS, by Representative B. Johnson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 141**, MOTOR VEHICLE REGISTRATION CHECKOFF FOR PROTECTING ACCESS TO PUBLIC LANDS AND OFF−HIGHWAY VEHICLE EDUCATION, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 223**, TRESPASS LAW AMENDMENTS, by Representative K. Gibson, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.B. 259**, DIVISION OF AIR QUALITY − BOND FOR STAY OF AN ORDER, by Representative A. Tilton, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 270**, EMERGENCY MEDICAL SERVICE PROVIDER TORT REFORM, by Representative S. Allen, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 276**, MEDICAID COVERED AT WORK PREMIUM SUBSIDY, by Representative K. Holdaway, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 290**, PROTECTIVE ORDER AMENDMENTS, by Representative L. Fowlke, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 298**, DRIVER LICENSE − APPLICATION OF MINOR, by Representative D. Litvack, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 309**, MUNICIPAL ENERGY SALES AND USE TAX AMENDMENTS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 322**, COSTS OF DIVORCE, by Representative P. Wallace, and it is transmitted for consideration; and

The House passed **H.B. 342**, TRAFFIC CODE REVISIONS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 423**, LIMITATION ON LOCAL HIGHWAY AUTHORITIES, by Representative W. Harper, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 139, H.B. 141, H.B. 223, 2nd Sub. H.B. 259, 1st Sub. H.B. 270, H.B. 276, H.B. 290, H.B. 298, 2nd Sub. H.B. 309, H.B. 322, H.B. 342,** and **H.B. 423** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 20, 2006

The Education Committee reports a favorable recommendation on **S.B. 97**, STUDENT CLUB AMENDMENTS, by Senator D. C. Buttars, with the following amendments:

1. Page 4, Lines 113 through 120:

113 (8) "Involve human sexuality" {~~means~~} includes :

114 (a) presenting information in violation of laws governing sex education;

115 {~~(b) promoting or encouraging self−labeling by students in terms of sexual orientation;~~

116 ~~(c) disclosing attitudes or personal conduct of students or members of their families~~

117 ~~regarding sexual orientation, attitudes, or belief;~~

118 ~~(d) advocating, approving, or engaging in sexual activity outside of marriage; or~~ }
(b) advocating or engaging in sexual activity outside of legally recognized marriage or forbidden by state law; or

119 {~~(e)~~ } (c) presenting or discussing information relating to the use of contraceptive devices or

120 substances, regardless of whether the use is for purposes of contraception or personal health. ; and

The Education Committee reports a favorable recommendation on **H.B. 202**, FOREIGN EXCHANGE STUDENT AMENDMENTS, by Representative N. Hendrickson, with the following amendments:

1. Page 2, Lines 39 through 48:

39 (2) (a) The number of foreign exchange students that may be counted for the purpose

40 of apportioning state monies shall be the lesser of:

41 [~~(a)~~] (i) four times the number of foreign exchange students:

42 [~~(i)~~] (A) enrolled in the school district or charter school; and

43 [~~(ii)~~] (B) sponsored by an exchange student agency approved by the district's local

44 school board or charter school's governing board; or

45 [~~(b)~~] (ii) four times the number of students that have withdrawn from the school district or charter

46 school to participate in a foreign exchange program in a foreign country.

47 (b) Notwithstanding the limitation of Subsection (2)(a)(ii), {~~a~~} four foreign exchange {~~student~~ } students

48 may be counted for the purpose of apportioning state monies if the corresponding student that ; and

The Education Committee reports a favorable recommendation on **H.B. 253**, SCHOOL TRUANCY AMENDMENTS, by Representative E. Hutchings, with the following amendments:

1. Page 7a, Lines 212e through 212g
House Committee Amendments
1−27−2006:

212e valid excuse under Subsection 53A−11−101(9)(e), a local school board or school district shall

212f {~~strongly consider approving~~} approve the absence if the local school board or school district determines

212g that:

2. Page 7a, Lines 212h through 212i
House Committee Amendments
1−27−2006:

212h (1) the school−age minor is exhibiting academic excellence; {~~and~~} or

212i (2) the extended absence will not adversely impact the school−age minor's

3. Page 8, Lines 222 through 224
House Floor Amendments
2−13−2006:

222 (2) Except as provided in Section 53A−11−102 or 53A−11−102.5, the parent of a

223 school−age minor shall enroll and send the school−age minor to a public Ĥ→ {~~[~~} or regularly

223a established

224 private {~~]~~} ←Ĥ school during the school year of the district in which the school−age minor resides.

4. Page 9, Lines 261 through 263
House Floor Amendments
2−13−2006:

261 (1) Except as provided in Section 53A−11−102 or 53A−11−102.5, a school−age minor who is enrolled in a public school

262 shall attend the public Ĥ→ [~~or regularly established private~~] ←Ĥ school in which the school−age

262a minor is

263 enrolled.

David L. Thomas, Chair

Mr. President: February 20, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 130**, ADOPTION AMENDMENTS, by Representative A. Hardy; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 142**, CENTER FOR MULTICULTURAL HEALTH − DUTIES, by Representative R. Romero.

Allen M. Christensen, Chair

Mr. President: February 21, 2006

The Natural Resources, Agriculture, and Environment Committee recommends **S.B. 241**, NATURAL RESOURCES DEVELOPMENT, by Senator M. Dmitrich, be replaced and favorably recommends **1st Sub. S.B. 241,** NATURAL RESOURCES DEVELOPMENT; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 47**, SALES TAX DIVERSION FOR WATER PROJECTS AND WATER FINANCING, by Representative D. Ure; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 100**, ENVIRONMENTAL LITIGATION BOND, by Representative A. Tilton.

Michael G. Waddoups, Chair

Mr. President: February 21, 2006

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 169**, DRIVER LICENSE RECORDS ACCESS AMENDMENTS, by Representative D. Aagard.

Sheldon L. Killpack, Chair

Mr. President: February 21, 2006

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 249**, JUVENILE COURT JUDGE, by Representative D. Hogue; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 24**, WEAPONS AMENDMENTS, by Senator M. Madsen, be

replaced and favorably recommends **3rd Sub. S.B. 24,** WEAPONS AMENDMENTS with the following amendments and intent language:

1. Page 1, Lines 9 through 10:

9 This bill modifies provisions of the Utah Criminal Code {~~dealing with the possession~~

10 ~~and carrying of weapons~~} .

2. Page 5, Lines 143 through 146:

143 (b) a person without a valid concealed firearm permit who carries a concealed

144 dangerous weapon which is a firearm in a place other than the person's residence or real property and {~~that~~} which contains no ammunition, {~~in a place other than~~

145 ~~the person's residence or property.~~} is guilty of a class B misdemeanor, but if the firearm

146 contains ammunition the person is guilty of a class A misdemeanor.

3. Page 6, Lines 162 through 164:

162 (1) at [~~his~~] the person's place of residence, including any temporary residence or

163 camp[~~.~~]; or

164 (2) on the person's real property.

D. Chris Buttars, Chair

On motion of Senator Mansell, the committee reports were adopted with the exception of the intent language that was included on the committee report on **3rd Sub. S.B. 24**. That intent language was stricken from the report. **S.B. 97,** as amended, **H.B. 202,** as amended, **H.B. 253,** as amended, **H.B. 130, H.B. 142, 1st Sub. S.B. 241, 1st Sub. H.B. 47, 1st Sub. H.B. 100, H.B. 169, H.B. 249,** and **3rd Sub. S.B. 24** were placed on Second Reading Calendar.

STANDING COMMITTEE REPORTS

Mr. President: February 20, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 199**, INSURANCE AMENDMENTS − ADOPTION

INDEMNITY BENEFIT, by Representative M. Newbold, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 295**, CHILD SUPPORT AMENDMENTS, by Representative L. Fowlke, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.J.R. 14**, RESOLUTION URGING STATE AGENCIES TO UPDATE REFERENCES TO MENTAL RETARDATION, by Representative D. Hogue, and recommends it be considered read for the second time and placed on the Consent Calendar.

Allen M. Christensen, Chair

On motion of Senator Knudson, the committee reports were adopted. **H.B. 199, H.B. 295, and H.J.R. 14** were considered read the second time and placed on the Consent Calendar.

SECOND READING CALENDAR

1st Sub. S.B. 252, CONSUMER CREDIT CODE AMENDMENTS, was read the second time. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 2, Lines 33 through 39

33 (2) To contract for the waiver described in Subsection (1), the creditor shall disclose

34 the waiver:

35 (a) to the debtor;

36 (b) in the closed−end consumer contract; and

37 (c) for a closed−end consumer contract entered into on or after August 1, 2006, in:

38 (i) bold type; {~~and~~} or

39 (ii) all capital letters.

2. Page 4, Lines 96 through 103:

96 (2) To contract for the waiver described in Subsection (1), the creditor shall disclose

97 the waiver:

98 (a) to the debtor;

99 (b) in the open−end consumer credit contract; and

100 (c) for an open−end consumer credit contract entered into on or after August 1, 2006,

101 in:

102 (i) bold type; {~~and~~} or

103 (ii) all capital letters.

Senator Bramble's motion to amend passed on a voice vote. Senator Arent commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 5; Absent, 3.

Voting in the affirmative were: Senators

Bramble	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker			

Voting in the negative were: Senators

Arent	Bell	Hillyard	McCoy
Valentine			

Absent or not voting were: Senators

Buttars	Hickman	Jenkins

* * *

S.B. 228, SPECIAL REVENUE FUND FOR SALINITY OFFSET PROGRAM, was read the second time. Senator Knudson explained the bill. Senator Evans commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Hickman	Mansell

TIME CERTAIN

On motion of Senator Bramble, under suspension of the rules, **S.R. 3**, RESOLUTION URGING PARTICIPATION BY TAIWAN IN WORLD HEALTH ORGANIZATION, was considered read the second and third times. Senator Bramble explained the bill. Senator Arent commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hickman	Hillyard	Mansell

S.R. 3 was signed by the President in open session and sent to the staff for enrolling.

COMMITTEE OF THE WHOLE

On motion of Senator Bramble, Mark W. P. Liao, Director General, Taipei Economic and Cultural Office, spoke in Committee of the Whole.

On motion of Senator Bramble, the Committee of the Whole was dissolved.

SECOND READING CALENDAR

S.B. 221, LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

S.B. 234, SERVICING OF HEATING OR COOLING DUCT SYSTEMS, was read the second time. Senator Hellewell explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Mansell

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 202**, USE OF OIL AND GAS TAX REVENUES, and it was before the Senate. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 1, Line 21:
   Delete “2006” and replace with “2007”

2. Page 4, Line 98:
   Change “Section 63−97a−105” to “Section 63−97a−104”

3. Page 5, Line 128:
   Delete “2006” and replace with “2007”

Senator Hillyard’s motion to amend passed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Walker	Valentine

Voting in the negative was: Senator
Waddoups

Absent or not voting were: Senators

Bramble	Buttars	Hickman	Stephenson

* * *

S.B. 260, CAPITOL PRESERVATION BOARD REVISIONS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Buttars	Hickman

* * *

On motion of Senator Stephenson, the circle was removed from **S.B. 221**, LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES, and it was before the Senate. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Hickman

* * *

S.B. 247, HILL AIR FORCE BASE MUSEUM FUNDING, was read the second time. Senator Christensen explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Hickman

* * *

On motion of Senator Waddoups, the Senate voted to reconsider its action on **S.B. 49**, SCHOOL COMMUNITY COUNCIL AMENDMENTS.

* * *

On motion of Senator Waddoups the Senate voted to lift **S.B. 258** from Rules and place it at the bottom of the Second Reading Calendar.

* * *

On motion of Senator Waddoups the Senate voted to send back all House bills on the Second Reading Calender below and including 1st Sub. H.B. 72 to Rules for the purpose of sifting.

* * *

On motion of Senator Knudson, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Knudson, the circle was removed from **S.B. 124**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, and it was before the Senate.

On motion of Senator Knudson, the following substitute bill replaced the original bill:

1st Sub. S.B. 124 Alcohol Beverage Control Amendments (P. Knudson)

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Arent the Senate voted to move **S.B. 49** to the top of the Third Reading Calendar.

S.B. 49, SCHOOL COMMUNITY COUNCIL AMENDMENTS, was before the Senate and explained by Senator Arent. Senators Waddoups, Stephenson, Evans, Eastman, and Mayne commented and the bill passed under suspension of the rules on the following roll call:

Yeas, 18; Nays, 9; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hellewell	Hillyard
Knudson	Mayne	McCoy	Peterson
Waddoups	Walker		

Voting in the negative were: Senators

Evans	Hatch	Jenkins	Killpack
Madsen	Mansell	Stephenson	Thomas
Valentine			

Absent or not voting were: Senators

Buttars	Hickman

S.B. 49 was transmitted to the House.

* * *

On motion of Senator Knudson and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Wednesday, February 22, 2006.

FEBRUARY 22, 2006

THIRTY−EIGHTH DAY

MORNING SESSION

The Senate was called to order at 10:45 a.m., with President Pro Tem Peter Knudson presiding.

Prayer − Senator Tom Hatch
Pledge of Allegiance − Senator Mark Madsen
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2006

The House passed **H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, by Representative R. Bigelow, and it is transmitted for consideration; and

The House passed **H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, by Representative R. Bigelow, and it is transmitted for consideration; and

The House passed **H.B. 413**, COMPARATIVE NEGLIGENCE AMENDMENTS, by Representative S. Wyatt, and it is transmitted for consideration; and

The House passed **H.J.R. 12**, JOINT RESOLUTION SUPPORTING GARFIELD COUNTY EXPANSION OF CORRECTIONAL FACILITIES, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 4, H.B. 170, H.B. 413,** and **H.J.R. 12** were read the first time and referred to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 21, 2006

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 233**, SALES AND USE TAX REVISIONS, by Senator C. Bramble, with the following amendments:

1. Page 1, Line 21:

21 ▶ addresses the effective date of certain tax rate increases, repeals , or tax rate changes;

2. Page 36, Line 1103:

1103 (b) to amend the Streamlined Sales and Use Tax Agreement.

3. Page 42, Lines 1277 through 1280:

1277 (B) {~~Notwithstanding Subsection (3)(c)(iii)(A), if~~} If a needed population estimate is not

1278 available from the United States Census Bureau, population figures shall be derived from the

1279 estimate from the Utah Population Estimates Committee created by executive order of the

1280 governor.

4. Page 46, Line 1422:

1422 (B) permitted by Congress; and

5. Page 48, Line 1457:

1457 (A) is no longer doing business in {~~the~~} this state; and

6. Page 48, Lines 1464 through 1467:

1464 (b) the tax rate {~~imposed by~~} :
(i) (A) for a seller that collects a tax in accordance with Subsection 59−12−107(1)(b), described in Subsection 59−12−103(2)(b)(ii); or
(B) for a seller other than a seller described in Subsection (2)(b)(i)(A), described in Subsection 59−12−103(2)(a):

1465 {~~(i)~~} (ii) imposed on the motor vehicle's purchase price; and

1466 {~~(ii)~~} (iii) imposed on the date the motor vehicle was purchased by the person that owns the motor

1467 vehicle at the time of the repossession.

7. Page 73, Lines 2250 through 2252:

2250 (b) The commission shall proportionally reduce {~~quarterly~~} monthly distributions to any county,

2251 city, or town that, but for the reduction, would receive a distribution in excess of 1% of the

2252 sales and use tax revenue collected within the boundaries of the county, city, or town.

8. Page 123, Lines 3794 through 3795:

3794 (C) on any amounts paid or charged by a seller that collects a tax under Subsection

3795 59−12−107(1)(b). ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 245**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator C. Bramble, with the following amendments:

1. Page 3, Lines 81 through 83:

81 (i) consists of at least 1,000 acres; {~~and~~ }

82 (ii) is occupied by an inactive or abandoned factory, smelter, or other heavy industrial

83 facility {~~.~~ } ; and
(iii) requires remediation because of the presence of hazardous or solid waste as defined in Subsection 17B−4−604(1)(a)(iii)(I). ; and

The Revenue and Taxation Committee reports a favorable recommendation on **2nd Sub. H.B. 338**, PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY, by Representative J. Dougall; and

The Revenue and Taxation Committee reports a favorable recommendation on **2nd Sub. H.J.R. 1**, RESOLUTION REGARDING PROPERTY TAX ON PERSONAL PROPERTY, by Representative J. Dougall.

Curtis S. Bramble, Chair

On motion of Senator Waddoups, the committee reports were adopted. **S.B. 233** and **S.B. 245** were placed on the Second Reading Calendar. **2nd Sub. H.B. 338** and **2nd Sub. H.J.R. 1** were returned to Rules.

CONSENT CALENDAR

H.B. 278, OUT−OF−STATE PARENT−TIME AMENDMENTS, was read the third time.

On motion of Senator Bramble, the bill was circled.

THIRD READING CALENDAR

S.B. 220, TIE BID − PREFERENCE FOR IN−STATE COMMODITIES, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hickman	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Hale	Hellewell	Hillyard	Jenkins
Killpack	Stephenson	Valentine	

S.B. 220 was transmitted to the House for consideration.

* * *

S.B. 249, COUNTY GOVERNMENT AMENDMENTS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Waddoups	Walker	

Voting in the negative was: Senator
Thomas

Absent or not voting were: Senators

Hale	Hellewell	Hillyard	Jenkins
Valentine			

S.B. 249 was transmitted to the House for consideration.

* * *

S.B. 188, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, was read the third time.

On motion of Senator Eastman, the bill was circled.

* * *

S.B. 225, PAYMENT OF TAX OR BONDING IN TAX CASES, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Hale	Hellewell	Hillyard	Jenkins
Valentine			

S.B. 225 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 232, AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Hatch	Hellewell
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Goodfellow	Hale	Hillyard	Jenkins
Valentine			

1st Sub. S.B. 232 was transmitted to the House for consideration.

* * *

S.B. 196, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, was read the third time.

On motion of Senator Bramble, the bill was circled.

* * *

S.B. 209, WASTE FEE AMENDMENTS, was read the third time and explained by Senator Eastman. Senator Fife commented and the bill passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 7.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Hatch	Hickman	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Arent	Hale

Absent or not voting were: Senators

Bramble	Goodfellow	Hellewell	Hillyard
Jenkins	Mansell	Valentine	

S.B. 209 was transmitted to the House for consideration.

* * *

S.B. 215, ELECTRONIC WASTE TASK FORCE AND MORATORIUM ON ELECTRONIC WASTE DISPOSAL, was read the third time and explained by Senator McCoy.

On motion of Senator McCoy, the bill was circled.

* * *

S.B. 107, TITLE TO MANUFACTURED HOUSING OR MOBILE HOMES, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Evans	Fife
Hale	Hatch	Hillyard	Killpack
Knudson	Madsen	Mayne	McCoy
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Bramble	Eastman	Goodfellow	Hellewell
Hickman	Jenkins	Mansell	Peterson
Valentine			

S.B. 107 was transmitted to the House for consideration.

* * *

S.B. 212, VETERAN SURVIVOR AND DEPENDENT HIGHER EDUCATION BENEFIT, was read the third time, explained by Senator McCoy, and passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Evans	Fife
Hale	Hatch	Hillyard	Knudson
Madsen	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Bramble	Eastman	Goodfellow	Hellewell
Hickman	Jenkins	Killpack	Mansell
Peterson	Valentine		

S.B. 212 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 267, CHANGES TO LOCAL GOVERNMENT PROVISIONS, was read the third time.

On motion of Senator Waddoups, the bill was circled.

* * *

1st Sub. S.B. 268, PROPERTY RIGHTS OMBUDSMAN, was read the third time.

On motion of Senator Waddoups, the bill was circled.

* * *

1st Sub. S.B. 252, CONSUMER CREDIT CODE AMENDMENTS, was read the third time and explained by Senator Bramble. Senator Arent commented and the bill failed on the following roll call:

Yeas, 13; Nays, 10; Absent, 6.

Voting in the affirmative were: Senators

Buttars	Christensen	Dmitrich	Evans
Hatch	Hellewell	Hickman	Knudson
Madsen	Peterson	Stephenson	Waddoups
Walker			

Voting in the negative were: Senators

Arent	Bell	Bramble	Davis
Fife	Hale	Hillyard	Mayne
McCoy	Thomas		

Absent or not voting were: Senators

Eastman	Goodfellow	Jenkins	Killpack
Mansell	Valentine		

1st Sub. S.B. 252 was returned to the staff.

* * *

On motion of Senator Hillyard, under suspension of the rules, the Senate voted to lift **H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, from Rules and place it at the top of the Second Reading Calendar.

SECOND READING CALENDAR

H.B. 4, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator Hillyard, the Senate voted to move to the Consent Calendar.

CONSENT CALENDAR

On motion of Senator Hillyard, the circle was removed from **H.B. 278**, OUT−OF−STATE PARENT−TIME AMENDMENTS. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Eastman	Goodfellow	Jenkins	Killpack
Mansell	Valentine		

H.B. 278 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

TIME CERTAIN

A citation was read honoring former State Senator LeRay McAllister. Senators Hellewell, Hickman, Fife, Bell, Stephenson, Dmitrich, and Valentine commented.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2006

The House passed, as amended, **H.B. 144**, BENEFITS FOR NATIONAL GUARD MEMBERS AND FAMILIES, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 150**, WORKERS' COMPENSATION REVISIONS, by Representative M. Morley, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 319**, DENSITY CREDIT FOR LAND DONATED TO SCHOOL DISTRICT, by Representative D. Cox, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 371**, TRANSIENT ROOM TAXES AMENDMENTS, by Representative D. Clark, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 436**, LEGISLATIVE DISTRICT CHANGES TO ACCOMMODATE COUNTY BOUNDARY CHANGE, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed **H.B. 453**, GIFTS, GRANTS, AND DONATIONS TO OFFICE OF THE ATTORNEY GENERAL, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 144, H.B. 150, 1st Sub. H.B. 319, H.B. 371, H.B. 436,** and **H.B. 453** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 3:45 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2006

The House passed, as substituted, **3rd Sub. H.B. 133**, COMMERCIAL TRANSACTIONS OF PERSONAL PROPERTY, by Representative R. Lockhart, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 198**, STATEWIDE 911 EMERGENCY COMMUNICATION AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 201**, FEE WAIVER ELIGIBILITY VERIFICATION, by Representative K. Holdaway, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 246**, HEALTH CARE COST AND QUALITY DATA, by Representative M. Morley, and it is transmitted for consideration; and

The House passed **H.B. 271**, PETROLEUM STORAGE TANK TRUST FUND AMENDMENTS, by Representative D. Ure, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 327**, PUBLIC EMPLOYER BENEFIT PLANS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 335**, RADIATION CONTROL ACT − BOND REQUIREMENTS, by Representative A. Tilton, and it is transmitted for consideration; and

The House passed **H.B. 367**, AUDIT OF STATE BUDGETS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 368**, COMMISSION PAYMENT ACT, by Representative D. Ure, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 417**, AMENDMENTS TO CHILD PROTECTION REGISTRY, by Representative E. Hutchings, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **3rd Sub. H.B. 133, H.B. 198, 1st Sub. H.B. 201, H.B. 246, H.B. 271, H.B. 327, 2nd Sub. H.B. 335, H.B. 367, H.B. 368,** and **1st Sub. H.B. 417** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 22, 2006

The Rules Committee recommends the following bills be placed at the bottom of the Second Reading Calendar:

H.B. 76	High Deductible Health Plan Option for Public Employees (Rep. B. Daw)
H.B. 228	Groundwater Management Plan (Rep. D. Ure)

1st Sub. H.B. 254	Child Care Licensing Restrictions (Rep. M. S. Lawrence)
H.B. 11	Retirement Office Amendments (Rep. A. Hardy)
H.B. 22	Utah Child Abuse Prevention Board (Rep. P. Ray)
1st Sub. H.B. 53	Corporate Franchise and Income Taxes − Apportionment of Business Income to Utah and Deduction of Net Losses by a Unitary Group (Rep. W. Harper)
H.B. 102	Sentencing for First Degree Felony Murder (Rep. L. Fowlke)
H.B. 209	Partial Lump−sum Retirement Payment Option (Rep. D. Clark)
H.B. 221	Ambulance and Paramedic Fee Amendments (Rep. P. Ray)
1st Sub. H.B. 224	Retirement System Participation (Rep. D. Clark)
H.B. 266	Fire Alarm System Certification Requirements (Rep. J. Murray)
H.B. 293	Transportation − Oversize and Overweight Permit (Rep. K. Gibson)
H.B. 296	Governor's Budget − Wage and Benefit Increases to Be Considered for Soil Conservation District (Rep. K. Gibson)
H.B. 285	Appropriation for Highly Qualified Teachers (Rep. K. Holdaway)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President: February 22, 2006

The Business and Labor Committee reports a favorable recommendation on **H.B. 93**, CLEAN FUEL VEHICLE FUND AMENDMENTS, by Representative J. Gowans; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 138**, MERCURY SWITCH REMOVAL ACT, by Representative R. Menlove; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 357**, WATER ISSUES TASK FORCE, by Representative D. Ure.

Scott K. Jenkins, Chair

Mr. President: February 22, 2006

The Health and Human Services Committee reports a favorable recommendation on **H.B. 129**, PUBLIC HEALTH AMENDMENTS, by Representative B. Last; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 156**, HEALTH INSURANCE ACCESSIBILITY, by Representative J. Dunnigan, with the following amendments:

1. Page 8, Lines 229 through 231:

229 (b) (i) [~~The~~] Except as provided in Section 31A−22−630 and except for the treatment of asthma or when the condition is due to cancer , the following may be the

230 subject of a condition−specific exclusion rider {~~except for the treatment of asthma or~~ when } [~~a~~

231 ~~mastectomy has been performed or~~] {~~the condition is due to cancer~~ } :

2. Page 9, Line 269:

269 individual carrier's option.
(d) An individual policy issued in accordance with this Subsection (2) is not subject to Subsection 31A−26−301.6(9).

Allen M. Christensen, Chair

Mr. President: February 22, 2006

The Education Committee reports a favorable recommendation on **1st Sub. H.B. 151**, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, by Representative M. Dayton.

David L. Thomas, Chair

Mr. President: February 21, 2006

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. H.B. 158**, SEX OFFENDER AMENDMENTS, by Representative B. Dee, et al; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 284**, VETERINARY PRACTICE ACT AMENDMENTS, by Representative J. Mathis; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. H.B. 330**, ALLOWANCE OF STATE MEMORIALS ON STATE PROPERTY, by Representative W. Harper; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.J.R. 23**, RESOLUTION SUPPORTING WORKING FAMILIES ECONOMIC DEVELOPMENT INITIATIVE, by Representative T. Cosgrove, et al.

On motion of Senator Knudson, the committee reports were adopted. **H.B. 93, 1st Sub. H.B. 138, H.B. 357, H.B. 129, 1st Sub. H.B. 156, 1st Sub. H.B. 151, 1st Sub. H.B. 158, H.B. 284, H.B. 330,** and **H.J.R. 23** were sent to the Rules Committee.

STANDING COMMITTEE REPORTS

Mr. President: February 22, 2006

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 14, Line 419
House Floor Amendments
2−16−2006:

419 assigned to the project by the designated agent.
(e) An original contractor, or other person who has a contract directly with the owner of a construction project, need not file a preliminary notice under this section.

Scott K. Jenkins, Chair

Mr. President: February 22, 2006

The Education Committee reports a favorable recommendation on **H.B. 326**, NEW CENTURY SCHOLARSHIP AMENDMENTS, by Representative K. Holdaway, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Education Committee reports a favorable recommendation on **H.B. 428**, CONSUMER SALES PRACTICES ACT AMENDMENTS, by Representative M. S. Lawrence, and recommends it be considered read for the second time and placed on the Consent Calendar.

David L. Thomas, Chair

On motion of Senator Knudson, the committee reports were adopted. **1st Sub. H.B. 160, H.B. 326,** and **H.B. 428** were considered read the second time and placed on the Consent Calendar.

* * *

Senator Waddoups made the motion that any bills which have not been reported out of Senate Standing Committees after the conclusion of their last scheduled meeting be reported back to the Rules Committee. Committee reports should indicate what, if any, action was taken by the committee. The motion passed on a voice vote.

THIRD READING CALENDAR

On motion of Senator Bramble, the Senate voted to reconsider its action on **1st Sub. S.B. 252**, CONSUMER CREDIT CODE AMENDMENTS. The bill was before the Senate.

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Mansell, the circle was removed from **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, and it was before the Senate. Senator Mansell explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Davis	Dmitrich	Hickman

1st Sub. S.B. 267, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Mansell, the circle was removed from **1st Sub. S.B. 268**, PROPERTY RIGHTS OMBUDSMAN, and it was before the Senate. Senator Mansell explained the bill. Senator Arent commented. The bill passed on the following roll call:

Yeas, 26; Nays, 2; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	McCoy

Absent or not voting was: Senator
Hickman

1st Sub. S.B. 268, as amended, was transmitted to the House for consideration.

TIME CERTAIN

A citation was read honoring Utah Highway Patrol Trooper, Sgt. Hoby Metz.

* * *

On motion of Senator Peterson, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Peterson the Senate voted to move **H.C.R. 4** to the top of the Second Reading Calendar.

On motion of Senator Peterson, under suspension of the rules, **H.C.R. 4**, RESOLUTION SUPPORTING UTAH HIGHWAY PATROL USE OF WHITE CROSSES AS ROADSIDE MEMORIALS, was considered read the second and third times. Senators Walker and Hatch commented and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Eastman

H.C.R. 4 , as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hillyard, the circle was removed from **H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, and it was before the Senate.

On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator Killpack, the circle was removed from **1st Sub. S.B. 129**, MOTOR VEHICLE REGISTRATION AMENDMENTS, and it was before the Senate. Senator Killpack explained the bill. Senator Evans commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack

Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Waddoups	Walker
Valentine			

Voting in the negative was: Senator
McCoy

Absent or not voting were: Senators

Eastman	Hillyard	Thomas

* * *

S.B. 97, STUDENT CLUB AMENDMENTS, was read the second time. Senator Buttars explained the bill.

On motion of Senator Buttars, the following substitute bill replaced the original bill:

1st Sub. S.B. 97 Student Club Amendments (D. C. Buttars)

On motion of Senator Buttars, Scott Soulier spoke in Committee of the Whole.

On motion of Senator Buttars, the Committee of the Whole was dissolved.

Senators McCoy, Davis, Goodfellow, Hillyard, and Fife commented. The bill passed second reading on the following roll call:

Yeas, 18; Nays, 11; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Madsen	Mansell
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hickman
Knudson	Mayne	McCoy	

* * *

On motion of Senator Hillyard, the circle was removed from **H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, and it was before the Senate.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 5; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Fife	Hale	Mayne
McCoy			

H.B. 4 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Senator Hillyard made a motion, under suspension of the rules, to lift **S.B. 39** from its standing committee and place it on the Second Reading Calendar. Senator Waddoups commented and the motion failed on a voice vote.

* * *

On motion of Senator Eastman, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 252**, CONSUMER CREDIT CODE AMENDMENTS, and it was before the Senate. Senator Bramble explained the bill. Senators Bell and Arent commented. The bill passed on the following roll call:

Yeas, 25; Nays, 4; Absent, 0.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Bell	Hale	Hillyard

1st Sub. S.B. 252, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Knudson, under suspension of the rules, the Senate voted to remove **H.B. 188**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, from the Consent Calendar and place it at the top of the Second Reading Calendar.

H.B. 188, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, was read the second time.

On motion of Senator Knudson, the following substitute bill replaced the original bill:

1st Sub. H.B. 188 Government Records Access and Management Act Revisions (C. Frank)

Senator Knudson explained the bill. Senator Thomas commented.

On motion of Senator Knudson, the bill was circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2006

The House passed **H.B. 193**, SALES AND USE TAX FUNDING FOR HEALTH CARE, by Representative J. Mathis, and it is transmitted for consideration: and

The House passed, as amended, **H.B. 196**, REAL PROPERTY DISCLOSURES, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed **H.B. 303**, AGING AND ADULT SERVICES PROGRAM AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 350**, CONCEALED FIREARMS INSTRUCTIONS, by Representative C. Oda, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 193, H.B. 196, H.B. 303,** and **H.B. 350** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February , 2006

The Rules Committee recommends assignment of the following bills to standing committees:

Health and Human Services Standing Committee

H.B. 118	Utah Health Care Workforce Financial Assistance Act Amendments (Rep. J. Biskupski)
H.B. 137	Medication Aide Certified (Rep. R. Lockhart)

Education Standing Committee

1st Sub. H.B. 77	School District Boundaries (Rep. D. Cox)
1st Sub. H.B. 107	Full−day Kindergarten (Rep. K. Holdaway)
2nd Sub. H.B. 124	Parent−time Amendments (Rep. B. Dee)
H.B. 167	School Uniforms (Rep. C. Frank)
H.B. 192	Instructional Materials for Disabled Students (Rep. D. G. Buxton)
1st Sub. H.B. 299	Medical Recommendations for Children (Rep. M. Morley)
1st Sub. H.B. 319	Density Credit for Land Donated to School District (Rep. D. Cox)

Governmental Operations and Political Subdivisions Standing Committee

1st Sub. H.B. 115	Salary of the Lieutenant Governor (Rep. L. Christensen)
H.B. 141	Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off−highway Vehicle Education (Rep. M. Noel)
H.B. 145	Rangeland Improvement Act (Rep. B. Johnson)
2nd Sub. H.B. 309	Municipal Energy Sales and Use Tax Amendments (Rep. G. Hughes)
H.B. 436	Legislative District Changes to Accommodate County Boundary Change (Rep. G. Hughes)
H.B. 453	Gifts, Grants, and Donations to Office of the Attorney General (Rep. M. Noel)

Workforce Service and Community and Economic Development Standing Committee

H.B. 150	Workers' Compensation Revisions (Rep. M. Morley)
H.B. 276	Medicaid Covered At Work Premium Subsidy (Rep. K. Holdaway)Natural Resources, Agriculture and Environment Standing Committee
1st Sub. H.B. 139	State Antiquities and Historic Sites Amendments (Rep. B. Johnson)
2nd Sub. H.B. 259	Division of Air Quality − Bond for Stay of an Order (Rep. A. Tilton)
H.B. 305	Boating Registration Fee (Rep. D. Cox)
H.B. 328	Eliminating the Age Requirement for Hunting Small Game (Rep. C. Oda)
H.B. 329	Age Amendments for Hunting Big Game (Rep. C. Oda)

Transportation and Public Utilities and Technology Standing Committee

S.B. 201	Anticamcorder Piracy (Sen. G. Bell)
H.B. 144	Benefits for National Guard Members and Families (Rep. G. Hughes)
H.B. 298	Driver License − Application of Minor (Rep. D. Litvack)
H.B. 342	Traffic Code Revisions (Rep. J. Dunnigan)
H.B. 423	Limitation on Local Highway Authorities (Rep. W. Harper)

Judiciary, Law Enforcement and Criminal Justice Standing Committee

H.B. 140	Amendments to Commercial Driver License Provisions (Rep. J. Alexander)
1st Sub. H.B. 148	Parent and Child Amendments (Rep. L. Christensen)
H.B. 161	Sexual Offenses Against Children − Sentencing Amendments (Rep. P. Ray)
H.B. 170	Prosecution and Prevention of Child Pornography Offenses Amendments (Rep. R. Bigelow)
H.B. 223	Trespass Law Amendments (Rep. K. Gibson)
H.B. 248	Executive and Legislative Coordination Act (Rep. D. Hogue)
1st Sub. H.B. 270	Emergency Medical Service Provider Tort Reform (Rep. S. Allen)
H.B. 290	Protective Order Amendments (Rep. L. Fowlke)
1st Sub. H.B. 317	Administrative Rule Criminal Penalty Amendments (Rep. D. Ure)
1st Sub. H.B. 333	Antitrust Exemption (Rep. R. Wheeler)

H.B. 413 Comparative Negligence Amendments (Rep. S. Wyatt)

Revenue and Taxation Committee
H.B. 371 Transient Room Taxes Amendments (Rep. D. Clark)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

Senator Hickman made the motion to lift **S.B. 39**, GENERAL FUND SURPLUS APPROPRIATION FOR WATER DEVELOPMENT PROJECTS, from the Natural Resources, Agriculture and Environment Committee and assign it to the Government Operations and Political Subdivisions Committee.

Senator McCoy made a substitute motion to adjourn. His motion failed on the following roll call:

Yeas, 12; Nays, 17; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Dmitrich
Fife	Goodfellow	Hale	Jenkins
Mansell	Mayne	McCoy	Waddoups

Voting in the negative were: Senators

Bramble	Buttars	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Killpack	Knudson	Madsen
Peterson	Stephenson	Thomas	Walker
Valentine			

Senator Hickman's primary motion passed on a voice vote.

On motion of Senator Knudson and at 5:15 p.m., the Senate adjourned until 9:00 a.m., Thursday, February 23, 2006.

FEBRUARY 23, 2006

THIRTY−NINTH DAY

MORNING SESSION

The Senate was called to order at 9:40 a.m., with President John Valentine presiding.

Reverence − Franklin Elementary School Students
Prayer − Senator Lyle Hillyard
Pledge of Allegiance − Senator Allen Christensen
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2006

The House passed, as substituted, **2nd Sub. H.B. 9**, WORKERS' COMPENSATION STUDIES INCLUDING COVERAGE OF FIREFIGHTERS AND DRUG OFFICERS, by Representative J. Murray, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 24**, MEDICAID DENTAL AND PHYSICIAN REIMBURSEMENT AMENDMENTS, by Representative S. Mascaro, and it is transmitted for consideration; and

The House passed **H.B. 58**, ADDITIONAL STATE RETIREMENT BENEFIT, by Representative L. Shurtliff, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 75**, UNCLAIMED PROPERTY ACT REVISIONS, by Representative F. Hunsaker, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 172**, LOCAL LAND USE PROVISIONS RELATING TO SCHOOLS, by Representative J. Ferrin, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 363**, DRIVER LICENSE − LEARNER PERMIT PROVISIONS, by Representative J. Dougall, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 414**, PETITION FOR INVOLUNTARY MEDICATION OF INCOMPETENT PERSON, by Representative S. Wyatt, and it is transmitted for consideration; and

The House passed **H.B. 430**, DEPARTMENT OF FINANCIAL INSTITUTIONS PAY PLAN, by Representative J. Alexander, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 448**, STANDARDIZING DOCUMENTS FILED WITH THE COUNTY RECORDER, by Representative C. Frank, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 457**, AMENDMENTS TO TRANSPORTATION PROVISIONS, by Representative J. Dougall, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 9, 2nd Sub. H.B. 24, H.B. 58, H.B. 75, 2nd Sub. H.B. 172, H.B. 363, H.B. 414, H.B. 430, 1st Sub. H.B. 448,** and **H.B. 457** were read the first time and referred to the Rules Committee.

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, U.S. Senator Robert Bennett spoke in Committee of the Whole. Senators Hatch, Hellewell, Goodfellow, and Bell commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

INTRODUCTION OF BILLS

S.B. 259, **Electronic Voting − Vote Count Audit Committee** (S. McCoy), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 262, RESPIRATORY CARE AMENDMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hillyard	Stephenson

H.B. 262 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.J.R. 15, JOINT RESOLUTION RAISING PUBLIC AWARENESS OF VITAL ROLE OF PARAEDUCATORS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Hellewell	Stephenson

H.J.R. 15, as amended, was returned to the House for further consideration.

* * *

H.B. 383, VEHICLES USED FOR AGRICULTURAL PURPOSES, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Hickman	Stephenson

H.B. 383 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 195, CRIMINAL PROCEDURE AMENDMENT, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Hickman	Stephenson

H.B. 195 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 247, PLEA IN ABEYANCE FEE, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Hickman	Stephenson

1st Sub. H.B. 247 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 316, ADMINISTRATIVE RULES PROCEDURE AMENDMENTS, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 348, ELECTION CODE − ELECTRONIC VOTING PROCEDURES AND REQUIREMENTS, was read the third time, explained by Senator Killpack, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Stephenson

H.B. 348, as amended, was returned to the House for further consideration.

* * *

H.B. 294, CREATION OF EDUCATION FUND, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 396, AMENDMENTS TO THE PROPERTY TAX EXEMPTION FOR DISABLED VETERANS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Stephenson

H.B. 396 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Knudson, and at 10:25 a.m., the Senate sauntered.

The Senate was called to order at 2:10 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 23, 2006

The House passed, **S.B. 52**, ANTIPHISHING PROVISIONS, by Senator P. Arent, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 185**, DRUG OFFENDER REFORM ACT AMENDMENTS, by Senator S. Killpack, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 1**, RESOLUTION ENCOURAGING SCHOOL BOARDS TO ADOPT POLICY PROHIBITING BULLYING, by Senator

P. Arent, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 52, S.B. 185, and **S.C.R. 1** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 23, 2006

The House concurred in the Senate amendments and passed **H.C.R. 4**, RESOLUTION SUPPORTING UTAH HIGHWAY PATROL USE OF WHITE CROSSES AS ROADSIDE MEMORIALS, by Representative P. Ray, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.C.R. 4, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 23, 2006

The House passed, as amended, **S.B. 147**, DIVISION OF CONSUMER PROTECTION AMENDMENTS, by Senator D. Eastman, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: February 23, 2006

The House passed, as substituted and amended, **2nd Sub. H.B. 174**, GUARDIAN AD LITEM AMENDMENTS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 337**, EDUCATION RESOURCES CONSERVATION PROGRAM, by Representative J. Biskupski, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 351**, CARSON SMITH SCHOLARSHIP PROGRAM AMENDMENTS, by Representative M. Newbold, and it is transmitted for consideration; and

The House passed **H.B. 365**, AUTOMATED TELLER MACHINE FEES, by Representative M. Walker, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 372**, EXPENDITURE OF LOCAL OPTION TRANSPORTATION TAX REVENUE, by Representative B. Ferry, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 388**, TRAUMATIC BRAIN INJURY FUND, by Representative J. Gowans, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 398**, JOINT CUSTODY AMENDMENTS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 429**, METHAMPHETAMINE − RESTRICTION ON COMPONENTS, by Representative M. Morley, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 174, H.B. 337, H.B. 351, H.B. 365, H.B. 372, H.B. 388, H.B. 398,** and **H.B. 429** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 23, 2006

The House adopted the Joint Conference Committee Report dated February 23, 2006, and passed **1st Sub. S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, by Senator G. Bell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Communications filed.

The Joint Conference Committee comprised of Sens. Bell, Thomas, and Arent, and Reps. Wyatt, Dee, and Romero, recommends **S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 148,** PUNITIVE DAMAGES − DISCOVERY OF WEALTH.

Sen. Bell and
Rep. Wyatt, Chairs

On motion of Senator Bell, the Senate voted to adopt the Conference Committee report. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

1st Sub. S.B. 148 was returned to the House for further consideration.

STANDING COMMITTEE REPORTS

Mr. President: February 20, 2006

The Revenue and Taxation Committee has deleted **S.B. 208**, REPORTING OF TAX EXPENDITURES, by Senator S. McCoy, and replaced it with **3rd Sub. S.B. 208,** REPORTING OF TAX INFORMATION, and has tabled and returned it to the Rules Committee for filing.

Curtis S. Bramble, Chair

STANDING COMMITTEE REPORTS

NOTICE OF BILLS RETURNED TO RULES WITH A COMMITTEE REVIEW.

Mr. President: February 23, 2006

With committee review, the Business and Labor Committee deleted **S.B. 44**, HOME INSPECTION STANDARDS, by Senator S. McCoy, and replaced it with **1st Sub. S.B. 44,** HOME INSPECTION STANDARDS, and has returned it to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee deleted **S.B. 203**, TELEPHONE SOLICITATION AMENDMENTS, by Senator P. Hellewell, and replaced it with **1st Sub. S.B. 203**, TELEPHONE SOLICITATION

AMENDMENTS, and has returned it to the Rules Committee without recommendation.

Scott K. Jenkins, Chair

Mr. President: February 22, 2006

With committee review, the Health and Human Services Committee has returned **S.B. 42**, AMENDMENTS PROHIBITING HEALTH INSURANCE DISCRIMINATION, by Senator S. McCoy, to the Rules Committee without recommendation; and

With committee review, the Health and Human Services Committee has returned **H.B. 222**, UNBORN CHILD PAIN PREVENTION ACT, by Representative P. Ray, to the Rules Committee without recommendation.

Allen M. Christensen, Chair

Mr. President: February 22, 2006

With committee review, the Education Committee has returned **S.B. 199**, SCHOOL COMMUNITY COUNCIL POWERS, by Senator M. Madsen, to the Rules Committee without recommendation.

David L. Thomas, Chair

Mr. President: February 22, 2006

The Government Operations and Political Subdivisions Committee has returned **S.B. 131**, AUTHORIZATION OF OPINION QUESTIONS TO VOTERS, by Senator E. Mayne, to the Rules Committee without recommendation with the following amendment:

1. Page 2, Line 58:
After "**passage by**" insert "**two−thirds vote of**"

Parley G. Hellewell, Chair

Mr. President: February 23, 2006

With committee review, the Revenue and Taxation Committee deleted **S.B. 64**, LEGISLATIVE COMPENSATION COMMISSION AMENDMENTS, by Senator G. Bell, and replaced it with **1st Sub. S.B. 64**, LEGISLATIVE COMPENSATION COMMISSION AMENDMENTS, and has returned it to the Rules Committee without recommendation; and

With committee review, the Revenue and Taxation Committee has returned **S.B. 102**, GIFTS TO PUBLIC OFFICIALS, by Senator G. Bell, to the Rules Committee; and

With committee review, the Revenue and Taxation Committee has returned **S.B. 151**, PROPERTY TAX − NOTICE AND HEARING AMENDMENTS, by Senator G. Bell, to the Rules Committee without recommendation; and

With committee review, the Revenue and Taxation Committee has returned **S.B. 166**, MORATORIUM ON ISSUING SALES TAX REVENUE BONDS BY LOCAL GOVERNMENTS, by Senator L. Hillyard, to the Rules Committee; and

With a committee hearing, the Revenue and Taxation Committee has returned **S.B. 254**, CAMPAIGN FINANCE AND REPORTING AMENDMENTS, by Senator C. Bramble, to the Rules Committee.

Curtis S. Bramble, Chair

Mr. President: February 22, 2006

The Workforce Services and Community and Economic Development Committee has returned **S.B. 43**, MINIMUM WAGE AMENDMENTS, by Senator E. Mayne, to the Rules Committee without recommendation, with the following amendments:

Page 1, Line 12, delete "7" and insert "6.50"

Page 2, Line 30, delete "7" and insert "6.50"; and

The Workforce Services and Community and Economic Development Committee has returned **2nd Sub. H.B. 236**, DEPARTMENT OF COMMERCE − DEMOGRAPHIC DATA TRACKING, by Representative M. Wheatley, to the Rules Committee, without action.

Carlene M. Walker, Chair

Mr. President: February 21, 2006

The Natural Resources, Agriculture, and Environment Committee has returned **1st Sub. H.B. 97,** COMMUNITY IMPACT AMENDMENTS, by Representative G. Snow, to the Rules Committee without recommendation.

Michael G. Waddoups, Chair

Mr. President: February 21, 2006

The Transportation and Public Utilities and Technology Committee deleted **S.B. 63**, ISSUANCE AND DISPLAY OF LICENSE PLATES, by Senator

D. Eastman, and replaced it with **1st Sub. S.B. 63,** LICENSE PLATE AMENDMENTS, and has returned it to the Rules Committee; and

The Transportation and Public Utilities and Technology Committee has returned **S.B. 227**, RESPONSIBILITIES OF PUBLIC TRANSIT DISTRICTS, by Senator S. McCoy, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Lines 14 through 15:

14 ▶ requires a public transit district to assist and coordinate with other state agencies to

15 help recipients of public assistance {~~ find employment ~~} to overcome transportation barriers to employment and utilize public transportation to seek and maintain employment ; and

2. Page 3, Lines 72 through 73:

72 (3) A public transit district incorporated under this part shall assist and coordinate with

73 other state agencies to help recipients of public assistance {~~ find employment~~ } to:

(a) overcome transportation barriers to employment; and

(b) utilize public transportation to seek and maintain employment .

Sheldon L. Killpack, Chair

Mr. President: February 21, 2006

With committee review, the Retirement and Independent Entities Committee has returned **H.B. 225**, POST RETIREMENT EMPLOYMENT, by Representative G. Donnelson, to the Rules Committee without recommendation; and

With committee review, the Retirement and Independent Entities Committee has returned **H.B. 346**, STATE EMPLOYEE RETIREMENT BENEFITS AMENDMENTS, by Representative J. Dougall, to the Rules Committee without action.

Beverly Evans, Chair

On motion of Senator Waddoups, the committee reports were adopted. **1st Sub. S.B. 44, 1st Sub. S.B. 203, S.B. 42, H.B. 222, S.B. 199, S.B. 131, 1st Sub.**

S.B. 64, S.B. 102, S.B. 151, S.B. 166, S.B. 254, S.B. 43, 2nd Sub. H.B. 236, 1st Sub. H.B. 97, 1st Sub. S.B. 63, S.B. 227, H.B. 225, and **H.B. 346,** were returned to the Rules Committee.

STANDING COMMITTEE REPORTS

NOTICE OF BILLS RETURNED TO RULES WITHOUT A COMMITTEE REVIEW.

Mr. President: February 23, 2006

Without committee review, the Business and Labor Committee has returned **S.B. 170**, LOCAL GOVERNMENT LAND USE AND IMPACT FEE REVISIONS, by Senator L. A. Mansell, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **S.B. 244**, BUSINESS RESOURCE CENTERS, by Senator P. Knudson, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **H.B. 444**, IRRIGATION COMPANIES − NONPROFIT CORPORATION AMENDMENTS, by Representative J. Gowans, to the Rules Committee.

Scott K. Jenkins, Chair

Mr. President: February 22, 2006

Without committee review, the Health and Human Services Committee has returned **S.B. 91**, REGULATION OF RESTRAINT, SECLUSION, AND EMERGENCY MEDICATION, by Senator T. Hatch, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned **S.B. 104**, PRESCRIBING PRACTICES FOR SCHEDULE II DRUGS, by Senator P. Knudson, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned **S.B. 216**, CHILDREN'S JUSTICE CENTER FUNDING, by Senator D. C. Buttars, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned **H.B. 114**, MINIMUM ENFORCEMENT OF FOOD SANITATION RULES, by Representative S. Clark, to the Rules Committee

Allen M. Christensen, Chair

Mr. President: February 22, 2006

Without committee review, the Education Committee has returned **S.B. 78**, ALTERNATIVE SCHOOL BUILDING PLANS, by Senator D. C. Buttars, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 126**, TRANSPORTATION OF CHILDREN IN KINDERGARTEN THROUGH SIXTH GRADE, by Senator E. Mayne, to the Rules Committee.

David L. Thomas, Chair

Mr. President: February 22, 2006

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 77**, CLASSIFICATION AND INSPECTION OF RECORDS UNDER GRAMA, by Senator M. Madsen, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.J.R. 8**, RESOLUTION SUBMITTING MINIMUM WAGE QUESTION TO THE VOTERS, by Senator E. Mayne, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **H.J.R. 26**, RESOLUTION URGING CONGRESS TO APPROPRIATE ADEQUATE FUNDS FOR MEDICARE PRESCRIPTION DRUG COVERAGE COUNSELING, by Representative T. Cosgrove, to the Rules Committee.

Parley G. Hellewell, Chair

Mr. President: February 23, 2006

Without committee review, the Revenue and Taxation Committee has returned **S.B. 210**, EMINENT DOMAIN CHANGES, by Senator S. Jenkins, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **S.J.R. 5**, JOINT RESOLUTION CONDEMNING USE OF TORTURE, by Senator S. McCoy, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **2nd Sub. H.B. 94**, BAN ON GIFTS TO ELECTED OFFICIALS, by Representative P. Jones, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS AND LOCAL TAXES, by Representative M. Newbold, et al, to the Rules Committee.

Curtis S. Bramble, Chair

Mr. President: February 21, 2006

Without committee review, The Natural Resources, Agriculture, and Environment Committee has returned **S.C.R. 4**, CONCURRENT RESOLUTION SUPPORTING GOSHUTE TRIBE, by Senator D. Peterson, to the Rules Committee; and

Without committee review, The Natural Resources, Agriculture, and Environment Committee has returned **H.B. 61**, CRIMINAL PENALTY FOR ANIMAL CRUELTY, by Representative S. Wyatt, to the Rules Committee.

Michael G. Waddoups, Chair

Mr. President: February 21, 2006

Without committee Review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 138**, TRAFFIC TICKETS AND CONVICTIONS, by Senator D. C. Buttars, to the Rules Committee; and

Without committee review, the Transportation and Public Utilities and Technology Committee has returned **S.C.R. 2**, RESOLUTION URGING DEVELOPMENT OF OFFSHORE ENERGY RESOURCES, by Senator T. Hatch, to the Rules Committee.

Sheldon L. Killpack, Chair

Mr. President: February 21, 2006

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 125**, MALIK'S LAW − HOMICIDE AMENDMENT, by Senator F. Fife, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 133**, LIABILITY PROTECTIONS FOR CHARITY CARE, by Senator P. Knudson, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 230**, PERSONAL PROPERTY AND PERSONAL INJURY CLAIM, by Senator G. Bell, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 264**, DNA EXONERATION TESTING, by Senator D. C. Buttars, to the Rules Committee; and

Without committee review, The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 89**, ADOPTION AND VITAL STATISTICS AMENDMENTS, by Representative K. Holdaway, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 304**, VOIDING TRANSACTIONS AGAINST PUBLIC POLICY, by Representative L. Christensen, to the Rules Committee.

Greg Bell, Vice−Chair

Mr. President: February 21, 2006

Without committee review, the Retirement and Independent Entities Committee has returned **H.B. 216**, EXPIRATION OF GROUP HEALTH INSURANCE FOR RETIRED GOVERNORS AND LEGISLATORS, by Representative D. Clark, to the Rules Committee; and

Without committee review, the Retirement and Independent Entities Committee has returned **1st Sub. H.B. 240**, PUBLIC SAFETY RETIREMENT REVISIONS, by Representative D. Clark, to the Rules Committee.

Beverly Ann Evans, Chair

On motion of Senator Waddoups, the committee reports were adopted. **S.B. 170, S.B. 244, H.B. 444, S.B. 91, S.B. 104, S.B. 216, H.B. 114, S.B. 78, S.B. 126, S.B. 77, S.J.R. 8, H.J.R. 26, S.B. 210, S.J.R. 5, 2nd Sub. H.B. 94, H.B. 109, S.C.R. 4, H.B. 61, S.B. 138, S.C.R. 2, S.B. 125, S.B. 133, S.B. 230, S.B. 264, H.B. 89, H.B. 304, H.B. 216,** and **1st Sub. H.B. 240** were returned to the Rules Committee.

* * *

Senator Waddoups made the motion that all bills sent to committee yesterday, in anticipation of having committee hearings, be returned to the Rules Committee. The motion passed on a voice vote.

On motion of Senator Waddoups the Senate voted to lift **S.B. 242**, TAX REVISIONS, from Rules and place it at the top of the Second Reading Calendar.

THIRD READING CALENDAR

S.B. 228, SPECIAL REVENUE FUND FOR SALINITY OFFSET PROGRAM, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Dmitrich	Hickman	Mansell

S.B. 228 was transmitted to the House for consideration.

* * *

On motion of Senator Knudson, the circle was removed from **1st Sub. S.B. 124**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, and it was before the Senate. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman	Mansell

1st Sub. S.B. 124 was transmitted to the House for consideration.

* * *

On motion of Senator Bramble, the circle was removed from **S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, and it was before the Senate. Senator Bramble explained the bill.

On motion of Senator Bramble, the following substitute bill replaced the original bill:

2nd Sub. S.B. 196 Revisions to Redevelopment Agency Provisions
(C. Bramble)

On motion of Senator Bramble, the bill was circled.

* * *

S.B. 234, SERVICING OF HEATING OR COOLING DUCT SYSTEMS, was read the third time, explained by Senator Hellewell, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Madsen Mansell

S.B. 234 was transmitted to the House for consideration.

* * *

S.B. 202, USE OF OIL AND GAS TAX REVENUES, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Killpack	Knudson	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Jenkins

Absent or not voting were: Senators
Madsen Mansell

S.B. 202 was transmitted to the House for consideration.

* * *

On motion of Senator Dmitrich, the circle was removed from **2nd Sub. S.B. 206**, CHILD PROTECTION REGISTRY AMENDMENTS, and it was before the Senate. Senator Dmitrich explained the bill.

Senator Dmitrich proposed the following amendment:

1. Page 4, Lines 97 through 104

97 (b) **(i)** pay a fee for use of the mechanism described in Subsection (4)(a) determined by

98 the division in accordance with Section 63−38−3.2**,** which shall be established so that there is a

99 fee charged based on both the number of contact points from the registry found on the person's

100 list of contacts and the total number of contact points in the registry.

101 (ii) The fees charged under Subsection (4)(b)(i) shall be established so that the fee for

102 each contact from a person's list that is found on the registry is up to an amount 100 times

103 greater than the fee for each of {~~a person's contacts checked against~~} the contact points in the

104 registry.

Senator Dmitrich's motion to amend passed on a voice vote. Senators Walker, Hillyard, Stephenson, Bell, Bramble, and Hale commented. The bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Killpack
Knudson	Madsen	Mayne	Peterson
Stephenson			

Voting in the negative were: Senators

Arent	Bell	Buttars	Hale
Hillyard	Jenkins	McCoy	Thomas
Waddoups	Walker	Valentine	

Absent or not voting was: Senator
Mansell

2nd Sub. S.B. 206, as amended, was transmitted to the House for consideration.

* * *

S.B. 260, CAPITOL PRESERVATION BOARD REVISIONS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 260 was transmitted to the House for consideration.

* * *

S.B. 221, LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES, was read the third time and explained by Senator Stephenson.

On motion of Senator Stephenson, the following substitute bill replaced the original bill:

2nd Sub. S.B. 221 Levies for the Assessment and Collection of Property Taxes (H. Stephenson)

Senator Arent commented and the bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

2nd Sub. S.B. 221 was transmitted to the House for consideration.

* * *

S.B. 247, HILL AIR FORCE BASE MUSEUM FUNDING, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

S.B. 247 was transmitted to the House for consideration.

* * *

1st Sub. S.B. 129, MOTOR VEHICLE REGISTRATION AMENDMENTS, was read the third time and explained by Senator Killpack. Senators Davis and Goodfellow commented and the bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Evans	Fife	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Peterson
Stephenson	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Goodfellow	Hale
Mayne	McCoy	Thomas	

Absent or not voting were: Senators

Dmitrich	Mansell

1st Sub. S.B. 129 was transmitted to the House for consideration.

COMMITTEE OF THE WHOLE

On motion of Senator Arent, Lt. Col. Larry Schmidt, of the Utah National Guard, spoke in Committee of the Whole.

On motion of Senator Arent, the Committee of the Whole was dissolved.

* * *

On motion of Senator Knudson, and at 3:30 p.m., the Senate sauntered.

The Senate was called to order at 3:50 p.m., with President Valentine presiding.

* * *

On motion of Senator Eastman, and at 3:50 p.m., the Senate recessed.

The Senate was called to order at 4:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 23, 2006

The Speaker of the House has signed **1st Sub. S.B. 148**, PUNITIVE DAMAGES − DISCOVERY OF WEALTH, by Senator G. Bell, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 148 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 23, 2006

The House passed, as substituted, **2nd Sub. H.B. 122**, UTAH SMALL BUSINESS HEALTH PLAN, by Representative S. Mascaro, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 122** was read the first time and referred to the Rules Committee.

CONSENT CALENDAR

On motion of Senator Stephenson, the circle was removed from **H.B. 316**, ADMINISTRATIVE RULES PROCEDURE AMENDMENTS. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch

Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Davis	Hillyard	Mansell	Valentine

H.B. 316 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the circle was removed from **H.B. 294**, CREATION OF EDUCATION FUND. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Hillyard	Mansell	Valentine

H.B. 294 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

1st Sub. S.B. 97, STUDENT CLUB AMENDMENTS, was read the third time and explained by Senator Buttars.

Senator Buttars proposed the following amendment:

1. Page 9, Line 273 through Page 10, Line 282

273 <u>(1) A school shall make faculty assignments for each authorized curricular and</u>

274 noncurricular club to provide oversight consistent with this part and the needs of the school to

275 ensure that the methods of expression, religious practices, or other conduct of the students or

276 advisors involved do not:

277 (a) unreasonably interfere with the ability of school officials to maintain order and

278 discipline;

279 (b) unreasonably endanger or threaten the well−being of persons or property;

280 (c) violate concepts of civility or propriety appropriate to a school setting; or

281 (d) {~~have as an intended effect the revealing of information identified in Subsection~~

282 ~~53A−13−302(1)~~ } violate applicable laws, rules, regulations, and policies .

2. Page 11, Line 310:

310 (ii) a school may not spend public funds for noncurricular clubs , except as required to implement the provisions of this part, including providing space and faculty oversight for noncurricular clubs ;

Senator Buttars' motion to amend passed on a voice vote.

# # #

Senator Peterson proposed the following amendment:

1. Page 7, Line 210 through Page 8, Line 212

210 {~~(1) A minimum of seven students who would qualify as members of a noncurricular~~

211 ~~club are required to submit an application for authorization of the noncurricular club.~~
–} (1) A school governing board may establish a minimum number of members for all noncurricular clubs.

212 (2) Students proposing a noncurricular club shall submit a written application for

Senator Peterson's motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 5, Line 120:
   Delete "includes" and insert "means"

Senator McCoy's motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 9, Line 248:
   Delete "shall" and insert "may"

Senator McCoy's motion to amend failed on a voice vote. Senators Hillyard, McCoy, Bell, and Arent commented and the bill passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Madsen	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hickman
Knudson	Mayne	McCoy	

Absent or not voting was: Senator
Mansell

1st Sub. S.B. 97, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Bramble, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Bramble the Senate voted to move **S.B. 233** to the top of the Second Reading Calendar.

S.B. 233, SALES AND USE TAX REVISIONS, was read the second time.

On motion of Senator Bramble, the following substitute bill replaced the original bill:

1st Sub. S.B. 233 Sales and Use Tax Revisions (C. Bramble)

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Bramble the Senate voted to move **S.B. 258** to the top of the Second Reading Calendar.

S.B. 258, REVENUE BONDS − AUDITING OF LEASES, was read the second time.

On motion of Senator Bramble, the following substitute bill replaced the original bill:

1st Sub. S.B. 258 Revenue Bonds − Auditing of Leases (C. Bramble)

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Bell, the circle was removed from **1st Sub. S.B. 145**, REGULATION OF DIRECT PATHOLOGY BILLING, and it was before the Senate.

On motion of Senator Bell, the following substitute bill replaced the original bill:

2nd Sub. S.B. 145 Regulation of Direct Pathology Billing (G. Bell)

On motion of Senator Bell, the bill was circled.

* * *

On motion of Senator Knudson and at 5:20 p.m., the Senate adjourned until 9:30 a.m., Friday, February 24, 2006.

FEBRUARY 24, 2006

FORTIETH DAY

MORNING SESSION

The Senate was called to order at 9:35 a.m., with President John Valentine presiding.

Prayer − Cantor Laurence Loeb, Congregation Kol Ami
Pledge of Allegiance − Senator Darin Peterson
National Anthem − Kelsey Garrett, clarinet solo
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 24, 2006

The House passed, **S.B. 164**, REPEAL OF ORDINATION BY INTERNET, by Senator G. Davis, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 164 was signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 24, 2006

The House passed, as substituted, **4th Sub. H.B. 90**, CRIMINAL PENALTY AMENDMENTS, by Representative D. Litvack, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 111**, CHILD RESTRAINT DEVICE AMENDMENTS, by Representative T. Cosgrove, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 181**, EDUCATION REFORM, by Representative S. Urquhart, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 215**, PEHP RISK POOL AMENDMENTS, by Representative D. Clark, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 257**, MATERIAL HARMFUL TO MINORS AMENDMENTS, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 366**, TRAFFIC CODE AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.B. 403**, BAILBOND AMENDMENTS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.J.R. 30**, UTAH ATHLETIC FOUNDATION RESOLUTION, by Representative D. Ure, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **4th Sub. H.B. 90, H.B. 111, 1st Sub. H.B. 181, 1st Sub. H.B. 215, 1st Sub. H.B. 257, H.B. 366, 2nd Sub. H.B. 403,** and **1st Sub. H.J.R. 30** were read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 236, **Revenue Bond and Capital Facilities Authorizations and General Obligation Bond Authorization Amendments** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.B. 240, **Temporary Medicaid Certification of Nursing Home Beds** (G. Davis), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 199, INSURANCE AMENDMENTS − ADOPTION INDEMNITY BENEFIT, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow

Hale	Hatch	Hellewell	Jenkins
Killpack	Madsen	Mayne	McCoy
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Bell	Bramble	Evans	Hickman
Hillyard	Knudson	Mansell	Peterson
Waddoups			

H.B. 199 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 295, CHILD SUPPORT AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Jenkins
Killpack	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Evans	Hickman
Hillyard	Knudson	Mansell	Waddoups

H.B. 295 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.J.R. 14, RESOLUTION URGING STATE AGENCIES TO UPDATE REFERENCES TO MENTAL RETARDATION, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife

Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Valentine			

Absent or not voting were: Senators

Bramble	Evans	Hickman	Hillyard
Knudson	Mansell	Waddoups	Walker

H.J.R. 14 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Bell, the circle was removed from **2nd Sub. S.B. 145**, REGULATION OF DIRECT PATHOLOGY BILLING, and it was before the Senate.

On motion of Senator Bell, under suspension of the rules, **2nd Sub. S.B. 145**, REGULATION OF DIRECT PATHOLOGY BILLING, was considered read the second and third times. Senator Bell explained the bill. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Evans	Hickman	Hillyard
Knudson	Mansell	Waddoups	

2nd Sub. S.B. 145 was transmitted to the House.

* * *

CONCURRENCE CALENDAR

On motion of Senator Eastman, the Senate voted to concur in the House amendments to **S.B. 147**, DIVISION OF CONSUMER PROTECTION AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Evans	Hickman	Hillyard
Knudson	Mansell	Waddoups	

S.B. 147 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

S.B. 242, TAX REVISIONS, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

On motion of Senator Dmitrich, under suspension of the rules, **1st Sub. S.B. 241**, NATURAL RESOURCES DEVELOPMENT, was considered read the second and third times. Senator Dmitrich explained the bill. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Bell	Christensen	Davis	Dmitrich
Eastman	Fife	Goodfellow	Hale
Hatch	Hellewell	Jenkins	Killpack
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Arent	Bramble	Buttars	Evans
Hickman	Hillyard	Knudson	Mansell
Waddoups			

1st Sub. S.B. 241 was transmitted to the House.

* * *

3rd Sub. S.B. 24, WEAPONS AMENDMENTS, was read the second time. Senator Madsen explained the bill.

Senator Madsen proposed the following amendment:

1. Page 5, Lines 129 through 132
   Senate Committee Amendments
   2−21−2006

   129 (18) "Securely encased" means not readily accessible for immediate use, such as held

   130 in a gun rack, or in a closed case or container, whether or not locked, or in a trunk or other

   131 storage area of a motor vehicle {~~[~~} , {~~]~~} [~~not~~] {~~[~~} including a glove box or console box {~~]~~} .

   132 (19) "State entity" means each department, commission, board, council, agency,

2. Page 5, Lines 137 through 140:

   137 76−10−504. Carrying concealed dangerous weapon −− Penalties.

   138 (1) Except as provided in Section 76−10−503 and in Subsections (2) and (3) <u>and for persons described in 18 U.S.C. 922(g)</u> :

   139 (a) a person who carries a concealed dangerous weapon, as defined in Section

   140 76−10−501, which is not a firearm on his person or one that is readily accessible for immediate

3. Page 5, Lines 143 through 146
   Senate Committee Amendments
   2−21−2006:

   143 (b) a person without a valid concealed firearm permit who carries a concealed

   144 dangerous weapon which is a firearm Ŝ➔ <u>in a place other than the person's residence or real</u>

144a property ←Ŝ {~~and~~} Ŝ→ [~~that~~] {~~which~~} ←Ŝ :
(i) is guilty of a class B misdemeanor if the firearm contains no ammunition {~~,~~} ; and Ŝ→ [~~in a place other than~~

145 ~~the person's residence or property,~~] ←Ŝ
(ii) is guilty of a class {~~B~~} A misdemeanor {~~, but~~} if the firearm

146 contains ammunition {~~the person is guilty of a class A misdemeanor~~} .

4. Page 6, Lines 159 through 161:

159 76−10−511. Possession of loaded weapon authorized at specific locations.

160 Except for persons described in Section 76−10−503 and 18 U.S.C. 922(g) , a person may have a loaded firearm,

161 concealed firearm, or loaded and concealed firearm:

Senator Madsen's motion to amend passed on a voice vote. Senators Arent, Bell, Stephenson, and Buttars commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Evans	Hillyard	Knudson
Mansell	Waddoups		

COMMITTEE OF THE WHOLE

On motion of Senator Eastman, U. S. Senator Orrin Hatch spoke in Committee of the Whole. Senators McCoy, Hatch, Arent, Stephenson, and Mayne commented.

On motion of Senator Eastman, the Committee of the Whole was dissolved.

On motion of Senator Hickman the Senate voted to lift **S.B. 236**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS AND GENERAL OBLIGATION BOND AUTHORIZATION AMENDMENTS, from Rules and place it at the top of the Second Reading Calendar.

* * *

On motion of Senator Knudson, and at 10:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:55 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 24, 2006

The House concurred in the Senate amendments and passed **H.B. 348**, ELECTION CODE − ELECTRONIC VOTING PROCEDURES AND REQUIREMENTS, by Representative D. Aagard, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.J.R. 15**, JOINT RESOLUTION RAISING PUBLIC AWARENESS OF VITAL ROLE OF PARAEDUCATORS, by Representative R. Menlove, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 348 and **H.J.R. 15** were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 24, 2006

The House passed **H.B. 146**, PUBLIC SAFETY RETIREMENT FOR DISPATCHERS, by Representative D. Bowman, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 194**, SERVICE ANIMALS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 230**, HIGH SCHOOL CURRICULUM AND GRADUATION, by Representative B. Daw, and it is transmitted for consideration; and

The House passed **H.B. 311**, CULTURAL SITES PROTECTION AMENDMENTS, by Representative B. Johnson, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 394**, RELOCATING OUTDOOR ADVERTISING, by Representative D. Ure, and it is transmitted for consideration; and

The House passed **H.B. 401**, VETERANS AFFAIRS AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 410**, SEX OFFENDER REGISTRATION FEE, by Representative L. Fowlke, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 432**, ACCESS TO POINT−OF−SALE DEVICES, by Representative R. Barrus, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 446**, SURPLUS LANDS AMENDMENTS, by Representative M. Walker, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 146, H.B. 194, 2nd Sub. H.B. 230, H.B. 311, 1st Sub. H.B. 394, H.B. 401, H.B. 410, 1st Sub. H.B. 432,** and **1st Sub. H.B. 446** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 24, 2006

The House passed, as amended, **S.B. 246**, COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS, by Senator T. Hatch, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

SECOND READING CALENDAR

On motion of Senator Hickman, under suspension of the rules, **S.B. 236**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS AND GENERAL OBLIGATION BOND AUTHORIZATION AMENDMENTS, was

considered read the second and third times. Senator Hickman explained the bill. The bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Fife	Goodfellow	Hale	Hellewell
Hickman	Killpack	Knudson	Madsen
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Dmitrich	Eastman
Evans	Hatch	Hillyard	Jenkins
Mansell	Mayne		

S.B. 236 was transmitted to the House.

* * *

On motion of Senator Waddoups, the Senate voted to lift **S.B. 240** from Rules and place it on the Second Reading Calendar below **S.B. 245**.

On motion of Senator Waddoups, the Senate voted to lift **H.B. 269** from Rules and place it on the top of the Second Reading Calendar.

* * *

S.B. 245, REDEVELOPMENT AGENCY AMENDMENTS, was read the second time. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Line 25

25 {~~None~~} This bill coordinates with S.B. 196, Revisions to Redevelopment Agency Provisions, by merging the amendments.

2. Page 13, Line 389:

389 tenant who becomes a developer under Section 17B−4−901.
Section 8. Coordinating S.B. 245 with S.B. 196 −− Merging substantive amendments.

If this S.B. 245 and S.B. 196, Revisions to Redevelopment Agency Provisions, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, merge the amendments to Subsection 17B−4−503(1)(b) in this S.B. 245 into Subsection 17C−1−102(13), as renumbered and amended in S.B. 196, so that Subsection 17C−1−102(13) reads as follows:

"(13) "Combined incremental value" means the combined total of all incremental values from all urban renewal project areas, except project areas that contain some or all of a military installation or inactive industrial site, within the agency's boundaries under adopted project area plans and adopted project area budgets at the time that a project area budget for a new urban renewal project area is being considered.".

Senator Bramble's motion to amend passed on a voice vote. Senator Thomas commented. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Davis	Dmitrich
Evans	Fife	Goodfellow	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	Peterson	Stephenson
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Christensen	Hale	McCoy
Thomas			

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Hillyard
Mansell			

* * *

On motion of Senator Davis, under suspension of the rules, **S.B. 240**, TEMPORARY MEDICAID CERTIFICATION OF NURSING HOME BEDS, was considered read the second and third times. This bill did not have a Senate standing committee hearing. Senator Davis explained the bill. Senator Davis declared a conflict of interest. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Mansell

S.B. 240 was transmitted to the House.

* * *

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 233**, SALES AND USE TAX REVISIONS, and it was before the Senate.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. S.B. 233**, SALES AND USE TAX REVISIONS, was considered read the second and third times. Senator Bramble explained the bill. Senators Waddoups and Mayne commented. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Davis	Hatch	Hillyard
Mansell			

1st Sub. S.B. 233 was transmitted to the House.

* * *

On motion of Senator Bramble, the circle was removed from **S.B. 242**, TAX REVISIONS, and it was before the Senate.

On motion of Senator Bramble, the following substitute bill replaced the original bill.

1st Sub. S.B. 242 Tax Revisions (C. Bramble)

Senator Bramble explained the bill. Senator Arent commented.

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 258**, REVENUE BONDS − AUDITING OF PUBLIC−PRIVATE CONTRACTS, and it was before the Senate. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Mansell

* * *

On motion of Senator Hellewell, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Hellewell, the circle was removed from **H.B. 15**, EARLY VOTING.

Senator Jenkins proposed the following amendment:

1. Page 41, Lines 1239 through 1243c
House Floor Amendments
1−30−2006

1239 (1) The election officer shall designate one or more polling places for early voting,

1240 provided that:

1241 (a) at least one polling place is open on each day of early voting; Ĥ→ [and] ←Ĥ

1242 (b) each polling place meets the requirements for polling places under Chapter 5,

1243 Election Administration Ĥ→ [.] ; {~~and~~ }

1243a (c) at least ten percent of the voting devices at a polling place are accessible for

1243b individuals with disabilities in accordance with Public Law 107−252, the Help America Vote

1243c Act of 2002 {~~.~~ } ; ←Ĥ and
(d) each polling place is located in a government building or office, unless no government building or office is available.

Senator Jenkins' motion to amend passed on a voice vote.

# # #

Senator Stephenson made a motion to substitute the bill. Senators Knudson, Davis, Waddoups, Jenkins, and Eastman commented. The motion failed on a voice vote.

# # #

Senator Stephenson proposed the following amendment:

1. Page 1, Lines 13 through 14

13 ► permits registered voters to participate in early voting during the {~~14−day~~} one week period

14 immediately prior to election day;

2. Page 40, Lines 1218 through 1226:

1218 (2) (a) The early voting period shall begin on the date that is {~~14~~ } eight days before the date of

1219 the election.

1220 (b) Early voting shall continue through:

1221 (i) the Friday before the election if the election date is a Tuesday; or

1222 (ii) the date that is two regular business days before the date of the election if the

1223 election date is a day other than Tuesday.

1224 (c) During the early voting period, the election officer:

1225 (i) shall conduct early voting on regular business days; and

1226 (ii) may , as applicable, elect to conduct early voting on Saturdays, Sundays, or holidays.

Senator Stephenson's motion to amend failed on a voice vote. The bill passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Stephenson

Absent or not voting were: Senators

Bramble	Buttars	Hatch	Hillyard
Mansell			

H.B. 15, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hellewell, the circle was removed from **S.B. 188**, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, and it was before the Senate. Senator Hellewell explained the bill.

Senator Hellewell proposed an amendment.

Senator Arent proposed the following substitute amendment:

1. Page 1 1, Lines 17 through 18
   Senate Committee Amendments
   2−13−2006

17 than {~~60~~} **30** days without being licensed in Utah if:

18 • the private investigator or private detective receives written authorization by the chief of the Bureau of Criminal Identification;

• the private investigator or private detective {~~notifies~~} provides to the bureau chief of the

2. Page 1, Line 20
   a. Senate Committee Amendments
   b. 2−13−2006:

20 • the private investigator or private detective is licensed in a state that provides reciprocity for private investigators or private

3. Page 2, Lines 36 through 37:

36 investigator or private detective licensed in another state to work in Utah for up to but not more than {~~60~~} 30 consecutive calendar

37 days , beginning on the date authorized by the bureau chief, to conduct investigative activities that are part of an agreement to conduct an investigation

4. Page 2, Line 56:

56 provisions of this part while conducting investigative activities within Utah; {~~and~~}

5. Page 2, Line 58:

58 the private investigator or private detective to carry a firearm in Utah ;

(e) identify the case name and file number for which the bureau chief gave the written authorization ; and

(g) acknowledge:

(i) the number of calendar days for which the bureau chief gave written authorization;

(ii) the date the authorization was given; and

(iii) that the authorized calendar days begin on the date the bureau chief gave the written authorization .

Senator Arent's substitute motion to amend passed on a voice vote. Senators Arent and Jenkins commented. The bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Jenkins

Absent or not voting were: Senators

Buttars	Hatch	Hickman	Hillyard
Mansell	Stephenson		

S.B. 188, as amended, was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Evans, under suspension of the rules, **H.B. 269**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Mansell
Stephenson			

H.B. 269 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 12, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, was read the second time.

On motion of Senator Thomas, the bill was circled.

* * *

On motion of Senator Thomas, the circle was removed from **1st Sub. H.B. 188**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS.

On motion of Senator Thomas, under suspension of the rules, **1st Sub. H.B. 188** was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hellewell	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Evans	Hatch	Hickman
Hillyard	Mansell		

1st Sub. H.B. 188, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Bramble, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bramble, under suspension of the rules, the Senate voted to suspend the 24−hour requirement and move **S.B. 245** to the top of the Third Reading Calendar.

S.B. 245, REDEVELOPMENT AGENCY AMENDMENTS, was read the third time and explained by Senator Bramble. Senators Jenkins, McCoy, and Stephenson commented and the bill passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Thomas

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Hillyard
Mansell			

S.B. 245 was transmitted to the House for consideration.

* * *

On motion of Senator Bramble, the circle was removed from **2nd Sub. S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, and it was before the Senate. Senator Bramble explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hatch	Hillyard
Mansell			

2nd Sub. S.B. 196 was transmitted to the House for consideration.

* * *

On motion of Senator Bramble, under suspension of the rules, the Senate voted to suspend the 24−hour requirement and move **S.B. 258** to the top of the Third Reading Calendar.

1st Sub. S.B. 258, REVENUE BONDS − AUDITING OF PUBLIC−PRIVATE CONTRACTS, was read the third time and explained by Senator Bramble.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 14 through 17

14 ► requires an independent assessment to be conducted before the execution of any

15 new contract or agreement between a local political subdivision and a private entity

16 that involves payments where the revenue is pledged for payment of a revenue

17 bond;

► exempts international airports from the requirement for an independent assessment;

2. Page 2, Lines 42 through 46:

42 (1) (a) Beginning July 1, 2006, and except as provided in Subsection (1)(b), an independent assessment shall be conducted prior to the

43 execution of any contract or agreement between a local political subdivision and a private

44 entity to determine the private entity's ability to meet its financial obligations to the local

45 political subdivision if the contract or agreement involves payments, the revenue from which is

46 pledged for the payment of principal or interest on a revenue bond.

(b) A contract or agreement that generates revenue that is payable in relation to an international airport is exempt from the requirements of this section.

Senator Bramble's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Jenkins	Killpack	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Dmitrich	Hatch	Hillyard
Knudson	Mansell		

1st Sub. S.B. 258, as amended, was transmitted to the House for consideration.

* * *

On motion of Senator Madsen, under suspension of the rules, the Senate voted to suspend the 24−hour requirement and move **3rd Sub. S.B. 24** to the top of the Third Reading Calendar.

3rd Sub. S.B. 24, WEAPONS AMENDMENTS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Knudson
Mansell			

3rd Sub. S.B. 24, as amended, was transmitted to the House for consideration.

On motion of Senator Bell, the Senate voted to include the following intent language to **3rd Sub. S.B. 24** in the Senate Journal.

INTENT LANGUAGE TO 3RD SUB. S.B. 24

The Legislature recognizes that 3rd Sub. S.B. 24 is an amendment to the state's Criminal Code. Therefore, this bill does nothing to affect the existing civil relationship between private property owners (including persons with right of possession), and individuals, vis a vis a property owner's right to ban an individual from entering upon the owner's private property. Furthermore, the bill does nothing to limit or expand civil or criminal remedies −− including but not limited to breach of contract or trespass −− that a property owner might presently invoke against an individual under current statute and jurisprudence, who enters upon a property owner's property in possession of a firearm, whether loaded or unloaded, when it is forbidden by the property owner.

SECOND READING CALENDAR

H.B. 74, ATHLETIC TRAINER LICENSING ACT, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Killpack	Knudson	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Bell	Jenkins	Madsen	Stephenson

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Mansell

* * *

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 242**, TAX REVISIONS, and it was before the Senate. Senator Bramble explained the bill. Senators Arent, Thomas, Hale, and Stephenson commented.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. S.B. 242**, TAX REVISIONS, was considered read the second and third times. The bill passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Hale	Mayne	McCoy

Absent or not voting were: Senators

Buttars	Hatch	Hillyard	Mansell

1st Sub. S.B. 242 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 24, 2006

The Speaker of the House has signed **S.B. 147**, DIVISION OF CONSUMER PROTECTION AMENDMENTS, by Senator D. Eastman, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 147 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 24, 2006

The House requests the return of **1st Sub. H.B. 72**, WORKERS' COMPENSATION FOR THE STATE, by Representative G. Snow, for reconsideration.

Sandy D. Tenney, Chief Clerk

On motion of Senator Waddoups, the Senate voted to refuse to return the bill to the House.

* * *

Mr. President: February 24, 2006

The House passed, as substituted, **2nd Sub. H.B. 155**, EDUCATION TESTING AND GRADUATION AMENDMENTS, by Representative N. Hansen, and it is transmitted for consideration; and

The House passed **H.B. 282**, UTAH UNIFORM PROBATE CODE AMENDMENTS, by Representative R. Romero, and it is transmitted for consideration; and

The House passed **H.B. 288**, HEALTH CARE AMENDMENTS FOR FOSTER CHILDREN, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 321**, ORGANIZED RETAIL THEFT OFFENSES, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 339**, COMMISSION ON CIVIC AND CHARACTER EDUCATION, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 382**, PARENTAGE ACT AMENDMENTS, by Representative L. Fowlke, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 420**, MUNICIPAL BUILDING INSPECTORS AVAILABILITY, by Representative A. Tilton, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 458**, ECONOMIC DEVELOPMENT − GOVERNMENT PROCUREMENT CONTRACTS, by Representative J. S. Adams, and it is transmitted for consideration.

The House passed, as substituted and amended, **1st Sub. H.B. 458**, ECONOMIC DEVELOPMENT − GOVERNMENT PROCUREMENT CONTRACTS, by Representative J. S. Adams, and it is transmitted for consideration; and

Sandy D. Tenney, Chief Clerk

Communications filed. **2nd Sub. H.B. 155, H.B. 282, H.B. 288, 1st Sub. H.B. 321, H.B. 339, H.B. 382, H.B. 420, and 1st Sub. H.B. 458** were read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson and at 4:45 p.m., the Senate adjourned until 9:00 a.m., Monday, February 27, 2006.

FEBRUARY 27, 2006

FORTY−THIRD DAY

MORNING SESSION

The Senate was called to order at 9:20 a.m., with President John Valentine presiding.

Prayer − Mayor Jay Jenkins, Plain City, Utah
Pledge of Allegiance − Senator David Thomas
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

ADVISE AND CONSENT

COMMUNICATIONS FROM THE GOVERNOR

Mr. President: February 10, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Central Utah Water Conservancy District Board of Directors:

Randy A. Brailsford is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

David R. Cox is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Randy Cozier is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Jani Iwomoto is appointed to replace Enid Greene as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Michael Jensen is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Mike Davis is appointed to replace Claude Hickan as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Mark Wilson is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Grand County Water Conservancy District Board of Directors:

Rex Tanner is reappointed as a member of the Grand County Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Dan Pyatt is appointed to replace Gary Wilson as a member of the Grand County Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Jordan Valley Water Conservancy District Board of Directors:

Lyle Summers is reappointed as a member of the Jordan Valley Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

W. Richard McDonald is appointed to replace Thomas W. Forsgren as a member of the Jordan Valley Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Royce A. Gibson is reappointed as a member of the Jordan Valley Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Gary Swenson is reappointed as a member of the Jordan Valley Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Utah State University Board of Trustees:

Suzanne Pierce Moore is appointed to replace L.J. Godfrey as a member of the Utah State University Board of Trustees, a term to expire June 30, 2007. See Utah Code Ann. 53B−2−104.

College of Eastern Utah Board of Trustees:

Scott R. Woodward is appointed to replace Dan M. Scartezina as a member of the College of Eastern Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Neal Peacock is appointed to replace LaNell Jones Denison as a member of the College of Eastern Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah College of Applied Technology Board of Trustees:

Dixie Allen is reappointed as a member of the Utah College of Applied Technology Board of Trustees, a term to expire August 31, 2009. See Utah Code Ann. 53B−2a−103.

Utah Athletic Foundation Board of Directors:

David B. Winder is reappointed as a member of the Utah Athletic Foundation Board of Directors, a term to expire August 15, 2008. In accordance with H.J.R. 25 adopted during the 2002 General Session of the Utah Legislature.

Luke Bodensteiner is appointed as a new member of the Utah Athletic Foundation Board of Directors, a term to expire February 6, 2009. In accordance with H.J.R. 25 adopted during the 2002 General Session of the Utah Legislature.

Health Facility Committee:

Robert Reeder is appointed to replace John Kessler as a member of the Health Facility Committee, a term to expire July 1, 2006. See Utah Code Ann. 26−1−7 and 26−21−3. Mr. Reeder is an Independent.

Radiation Control Board:

Frank DeRosso is appointed to replace Dan L. Perry as a member of the Radiation Control Board, a term to expire July 1, 2008. See Utah Code Ann. 19−3−103. Mr. DeRosso is an Independent.

Patrick Cone is appointed to replace Keith Barnes as a member of the Radiation Control Board, a term to expire July 1, 2006. See Utah Code Ann. 19−3−103. Mr. Cone is a Democrat.

Water Quality Board:

Mayor Dan Snarr is appointed to replace Douglas E. Thompson as a member of the Water Quality Board, a term to expire March 1, 2007. See Utah Code Ann. 19−5−103. Mayor Snarr is an Independent.

Leland Myers is appointed to replace Ray M. Child as a member of the Water Quality Board, a term to expire March 1, 2007. See Utah Code Ann. 19−5−103. Mr. Myers is an Independent.

Drinking Water Board:

Mayor Jay Franson is appointed to replace Charlie Roberts as member of the Drinking Water Board, a term to expire May 8, 2009. See Utah Code Ann. 19−4−103. Mayor Franson is a Republican.

Paul Hansen is appointed to replace Mayor Jay Franson's current position as a member of the Drinking Water Board, a term to expire May 8, 2009. See Utah Code Ann. 19−4−103. Mr. Hansen is an Independent.

Daniel Fleming is appointed to replace Dale Pierson as a member of the Drinking Water Board, a term to expire May 8, 2007. See Utah Code Ann. 19−4−103. Mr. Fleming is an Independent.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

Mr. President: February 17, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Utah Capital Investment Board

Lonnie M. Bullard is appointed to replace David Hemingway as a member of the Utah Capital Investment Board, a term to expire November 1, 2007. See Utah Code Ann. 9−2−1905.

Alexander L. Searl is appointed to replace Sterling Jenson as a member of the Utah Capital Investment Board, a term to expire November 1, 2007. See Utah Code Ann. 9−2−1905.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate, pursuant to Section 67−1−2 of the Utah Code, voted to waive the 15−day requirement on the submittal dated February 17, 2006, for the purposes of acting on gubernatorial nominees.

On motion of Senator Eastman, the Senate voted to consent to the Governor's appointments as listed on his communications dated February 10 and 17, 2006, as read by Leslie McLean on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Mansell	Stephenson

Absent or not voting were: Senators

Buttars	Hickman	Hillyard

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 24, 2006

The House passed **H.B. 176**, SCHOOL DISTRICT ENROLLMENT DIVERSITY, by Representative D. Bourdeaux, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 379**, AMENDMENTS TO SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE FUND, by Representative T. Cosgrove, and it is transmitted for consideration; and

The House passed **H.J.R. 25**, STATE TRANSPORTATION EMPOWERMENT RESOLUTION, by Representative A. Tilton, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 176, H.B. 379,** and **H.J.R. 25** were read the first time and referred to the Rules Committee.

CONSENT CALENDAR

1st Sub. H.B. 160, CONSTRUCTION STANDARD AMENDMENTS, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Hale	Hickman
Hillyard	Killpack		

1st Sub. H.B. 160 was returned to the House for further consideration.

* * *

H.B. 326, NEW CENTURY SCHOLARSHIP AMENDMENTS, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Dmitrich	Hickman	Hillyard
Killpack			

H.B. 326 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 428, CONSUMER SALES PRACTICES ACT AMENDMENTS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Hickman	Hillyard	Killpack

H.B. 428 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

CONCURRENCE CALENDAR

On motion of Senator Hatch, the Senate voted to concur in the House amendments to **S.B. 246**, COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Hickman	Hillyard

S.B. 246 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

H.B. 74, ATHLETIC TRAINER LICENSING ACT, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 23; Nays, 4; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Killpack	Knudson
Mayne	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Buttars	Jenkins	Madsen	Stephenson

Absent or not voting were: Senators

Hillyard	Mansell

H.B. 74 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Thomas, the circle was removed from **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, and it was before the Senate. Senator Thomas explained the bill. Senators Arent, Stephenson, Hale, Bell, Buttars, McCoy, Hellewell, Madsen commented.

Senator Hale proposed the following amendment:

1. Page 16, Line 474:
   Delete "; and"

2. Page 16, Line 475 and 476:
   Delete lines 475 and 476

Senator Hale's motion to amend failed on the following roll call.

Yeas, 14; Nays, 14; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Davis	Dmitrich
Fife	Hale	Jenkins	Killpack
Madsen	Mayne	McCoy	Peterson
Walker	Valentine		

Voting in the negative were: Senators

Bramble	Buttars	Christensen	Eastman
Evans	Goodfellow	Hatch	Hellewell
Hickman	Knudson	Mansell	Stephenson
Thomas	Waddoups		

Absent or not voting was: Senator

Hillyard

On motion of Senator Thomas, the bill was circled.

* * *

On motion of Senator Dmitrich, the Senate voted to move to Third Reading Table Calendar.

On motion of Senator Dmitrich, the Senate voted to move to lift **1st Sub. H.B. 55** from the Third Reading Table and place it at the top of the Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 55, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, was read the third time.

On motion of Senator Dmitrich, the following substitute bill replaced the original bill:

2nd Sub. H.B. 55 Property Tax − Circuit Breaker Qualifying Limits (W. Harper)

On motion of Senator Dmitrich, **2nd Sub. H.B. 55** was placed on Third Reading Table.

SECOND READING CALENDAR

H.B. 244, AGGRAVATED ASSAULT BY PRISONERS AMENDMENT, was read the second time. Senator Peterson explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Bramble	Davis	Hale
Killpack	Thomas		

* * *

H.B. 127, LIMITED LIABILITY COMPANY AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Davis	Hale	Thomas

* * *

1st Sub. H.B. 6, UTILITY IMPROVEMENT DISTRICTS REVISIONS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Davis	Hale

* * *

1st Sub. H.B. 68, SCHOOL FEE WAIVER AMENDMENTS, was read the second time. Senator Stephenson explained the bill. Senators Hale, Valentine, and Bramble commented. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Bramble	Buttars	Valentine

Absent or not voting were: Senators

Madsen	Mansell

On motion of Senator Hillyard, **1st Sub. H.B. 68** was placed on Third Reading Table due to fiscal impact.

* * *

H.B. 461, VETERANS NURSING HOME − EXTENSION BOND AUTHORIZATION, was read the second time. Senator Jenkins explained the bill. Senators Thomas, Hillyard, and Buttars commented. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative was: Senator

Buttars

Absent or not voting were: Senators

Hillyard	Madsen	Mansell

* * *

1st Sub. H.B. 85, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT, was read the second time. Senator Peterson explained the bill.

Senator Peterson proposed the following amendment:

1. Page 5, Lines 147 through 149
House Floor Amendments
1−27−2006

147 (2) In addition to the other requirements of this part, a physician may not perform an abortion {~~may not be performed~~ }

148 on a minor unless:

149 (a) the {~~minor~~ } physician obtains the informed written consent of a parent or guardian of the minor;

Senator Peterson's motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 2, Lines 42 through 44
House Floor Amendments
1−27−2006

42 engaging in incest with the Ĥ→ [~~woman~~] minor ←Ĥ ; {~~or~~ }

43 • the parent or guardian has not assumed responsibility for the minor's care and

44 upbringing; or
• the minor obtains the right, by court order, to consent to an abortion without consent from a parent or guardian and the court makes a finding that notification of a parent or guardian of the minor poses a risk to the health or safety of the minor;

1. Page 4, Line 115 through Page 5, Line 134:

115 (3) Subject to Subsection (4), at least 24 hours before a physician performs an abortion

116 on a minor, the physician shall notify a parent or guardian of the minor that the minor intends

117 to have an abortion.

118 (4) A physician is not required to comply with Subsection (3) if:

119 (a) subject to Subsection (5)(a):

120 (i) a medical condition exists that, on the basis of the physician's good faith clinical

121 judgment, so complicates the medical condition of a pregnant minor as to necessitate the

122 abortion of her pregnancy to avert:

123 (A) the minor's death; or

124 (B) a serious risk of substantial and irreversible impairment of a major bodily function

125 of the minor; and

126 (ii) there is not sufficient time to give the notice required under Subsection (3) before it

127 is necessary to terminate the minor's pregnancy in order to avert the minor's death or

128 impairment described in Subsection (4)(a)(i);

129 (b) subject to Subsection (5)(b):

130 (i) Ĥ→ the physician complies with Subsection (6); and

130a (ii) (A) ←Ĥ the minor is pregnant as a result of incest to which the parent or guardian was a

131 party; or

132 Ĥ→ [~~(ii)~~] (B) ←Ĥ the parent or guardian has abused the minor; {~~or~~ }

133 (c) subject to Subsection (5)(b), the parent or guardian has not assumed responsibility

134 for the minor's care and upbringing {~~.~~ } ; or
(d) a court:
(i) enters an order under Subsection 76−7−304.5(5)(b); and
(ii) makes a finding that notification of a parent or guardian of the minor poses a risk to the health or safety of the minor.

Senator McCoy's motion to amend failed on a voice vote. Senators Bell, Arent, McCoy, and Buttars commented. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 3; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Dmitrich	Eastman	Evans
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Davis	Fife	McCoy

On motion of Senator Hillyard, **1st Sub. H.B. 85** was placed on Third Reading Table due to fiscal impact.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House passed, **S.B. 16**, CIVIL ANTITRUST AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 124**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 191**, SERVICE CONTRACTS ACT AMENDMENTS, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 220**, TIE BIDS − PREFERENCE FOR IN−STATE COMMODITIES, by Senator D. Peterson, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 16, 1st Sub. S.B. 124, S.B. 191, and **S.B. 220** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 27, 2006

The House passed, as amended, **H.B. 186**, SUICIDE PREVENTION PLAN, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed **H.B. 381**, POST−RETIREMENT BENEFITS TRUST FUND, by Representative D. Clark, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 407**, COUNSELING FOR FAMILIES OF VETERANS, by Representative T. Cosgrove, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 186, H.B. 381,** and **1st Sub. H.B. 407** were read the first time and referred to the Rules Committee.

* * *

Mr. President: February 27, 2006

The House passed, as amended, **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, by Senator M. Dmitrich, and it is transmitted for further consideration; and

The House substituted and passed, **1st Sub. S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, by Senator Lyle W. Hillyard, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

* * *

On motion of Senator Knudson, and at 11:00 a,m., the Senate sauntered.

The Senate was called to order at 11:25 a.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House passed, **1st Sub. S.B. 85**, STATE−OWNED ART COLLECTIONS INVENTORY PROGRAM, by Senator B. Evans, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 85 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 27, 2006

The House concurred in the Senate amendments and passed **H.B. 15**, EARLY VOTING, by Representative D. Aagard, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 15 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

H.B. 83, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, was read the second time. Senator Walker explained the bill.

Senator Walker proposed the following amendment:

1. Page 13, Lines 372l through 372p
House Floor Amendments
1−25−2006

372l (iii) (A) During the period beginning on the day on which a temporary limited

372m driver license is issued under this Subsection (6) and ending on the day that the temporary

372n limited driver license expires, the suspension described in this Subsection (6) only applies if the

372o person who is suspended operates a motor vehicle for a purpose other than employment,

372p education, or child visitation.

(B) Upon expiration of a temporary limited driver license described in this Subsection (6)(d), a suspension described in Subsection (6)(a) shall be in effect, without limitation, until the division receives notice, under Subsection (6)(b), that the order of suspension is rescinded.

Senator Walker's motion to amend passed on a voice vote. Senators Bell, Mansell, Hillyard, Hellewell, and Mayne commented.

On motion of Senator Walker, the bill was circled.

* * *

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:00 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House passed, **1st Sub. S.B. 103**, PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES, by Senator D. Thomas, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 222**, OUTDOOR ADVERTISING − HEIGHT ADJUSTMENT OF SIGNS, by Senator P. Hellewell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 234**, SERVICING OF HEATING OR COOLING DUCT SYSTEMS, by Senator P. Hellewell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 246**, COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS, by Senator T. Hatch, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 103, S.B. 222, S.B. 234, and S.B. 246 were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 27, 2006

The House passed, as amended, **1st Sub. S.B. 268**, PROPERTY RIGHTS OMBUDSMAN, by Senator L. A. Mansell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: February 27, 2006

The House has rejected **3rd Sub. S.B. 96**, PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF SPECIES, by Senator D. C. Buttars, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

The bill was placed returned to the staff for filing.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 27, 2006

The Rules Committee recommends the following bills be placed at the bottom of the Second Reading Calendar:

S.B. 201	Anticamcorder Piracy (Sen. G. Bell)
S.B. 270	Individual Income Tax Revisions (Sen. T. Hatch)
1st Sub. H.B. 47	Sales Tax Diversion for Water Projects and Water Financing (Rep. D. Ure)
H.B. 80	Energy Savings in State Buildings (Rep. F. Hunsaker)
H.B. 93	Clean Fuel Vehicle Fund Amendments (Rep. J. Gowans)
1st Sub. H.B. 138	Mercury Switch Removal Act (Rep. R. Menlove)
H.B. 142	Center for Multicultural Health − Duties (Rep. R. Romero)
1st Sub. H.B. 156	Health Insurance Accessibility (Rep. J. Dunnigan)
H.B. 169	Driver License Records Access Amendments (Rep. D. Aagard)
H.B. 260	State Office of Rehabilitation − Budget Recommendations (Rep. B. Last)
H.B. 263	Child Care Revisions (Rep. D. G. Buxton)

H.B. 267	Transportation Construction Amendments (Rep. Julie Fisher)
1st Sub. H.B. 274	Removal of County or Prosecution District Officer Amendments (Rep. S. Wyatt)
H.B. 284	Veterinary Practice Act Amendments (Rep. J. Mathis)
2nd Sub. H.B. 338	Property Tax Exemption for Business Personal Property (Rep. J. Dougall)
2nd Sub. H.J.R. 1	Resolution Regarding Property Tax on Personal Property (Rep. J. Dougall)
1st Sub. H.B. 72	Workers' Compensation for the State (Rep. G. Snow)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

INTRODUCTION OF BILLS

S.B. 4, **New Fiscal Year Supplemental Appropriations Act** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

SECOND READING CALENDAR

1st Sub. H.B. 65, CONSUMER PROTECTION AGENCY, was read the second time. Senator Walker explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Evans	Mansell

Absent or not voting were: Senators

Bramble	Hickman

On motion of Senator Walker, **1st Sub. H.B. 65** was placed on Third Reading Table due to fiscal impact.

* * *

H.B. 125, STATE LONG−TERM CARE FOR INMATES, was read the second time. Senator Peterson explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hickman

* * *

H.B. 76, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, was read the second time. Senator Jenkins explained the bill. Senators Mayne, Davis, Evans, and Christensen commented. The bill failed second reading on the following roll call:

Yeas, 10; Nays, 15; Absent, 4.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Eastman
Hatch	Hellewell	Jenkins	Madsen
Stephenson	Waddoups		

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hickman
Knudson	Mansell	Mayne	McCoy
Peterson	Thomas	Valentine	

Absent or not voting were: Senators

Bramble	Hillyard	Killpack	Walker

H.B. 76 was filed.

* * *

H.B. 228, GROUNDWATER MANAGEMENT PLAN, was read the second time. Senator Hatch explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators

Bell	Bramble	Hillyard	Killpack
Walker			

On motion of Senator Hatch, **H.B. 228** was placed on Third Reading Table due to fiscal impact.

* * *

1st Sub. H.B. 254, CHILD CARE LICENSING RESTRICTIONS, was read the second time. Senator Waddoups explained the bill. The bill passed second reading on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Hillyard	Killpack	Walker

* * *

H.B. 11, RETIREMENT OFFICE AMENDMENTS, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Hillyard	Killpack	Thomas
Walker			

* * *

H.B. 22, UTAH CHILD ABUSE PREVENTION BOARD, was read the second time. Senator Eastman explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Hillyard	Killpack	Thomas
Walker			

On motion of Senator Eastman, **H.B. 22** was placed on Third Reading Table due to fiscal impact.

* * *

1st Sub. H.B. 53, CORPORATE FRANCHISE AND INCOME TAXES − APPORTIONMENT OF BUSINESS INCOME TO UTAH AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 102, SENTENCING FOR FIRST DEGREE FELONY MURDER, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

H.B. 209, PARTIAL LUMP−SUM RETIREMENT PAYMENT OPTION, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Absent or not voting were: Senators

Hillyard	Walker

* * *

On motion of Senator Bramble, the circle was removed from **1st Sub. H.B. 53**, CORPORATE FRANCHISE AND INCOME TAXES − APPORTIONMENT OF BUSINESS INCOME TO UTAH AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, and it was before the Senate. Senator Bramble explained the bill. The bill passed on the following roll call:

Yeas, 20; Nays, 5; Absent, 4.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Davis
Dmitrich	Evans	Goodfellow	Hatch
Hellewell	Hickman	Jenkins	Killpack
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Fife	Hale	Mayne
McCoy			

Absent or not voting were: Senators

Buttars	Eastman	Hillyard	Knudson

On motion of Senator Bramble, **1st Sub. H.B. 53** was placed on Third Reading Table due to fiscal impact.

CONCURRENCE CALENDAR

On motion of Senator Dmitrich, the Senate voted to concur in the House amendments to **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION. The bill, as amended, passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Jenkins	Killpack	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Eastman	Hickman	Hillyard
Knudson	Madsen		

S.B. 36 was returned to the House for the signature of the Speaker.

* * *

1st Sub. S.B. 37, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, was before the Senate.

On motion of Senator Evans, the bill was circled.

* * *

On motion of Senator Mansell, the Senate refused to concur in the House amendments. **1st Sub. S.B. 267** was returned to the House.

* * *

On motion of Senator Mansell, the Senate voted to concur in the House amendments to **1st Sub. S.B. 268**, PROPERTY RIGHTS OMBUDSMAN. Senators Thomas and McCoy commented. The bill, as amended, passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Evans	Fife	Goodfellow
Hale	Hatch	Hickman	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Eastman	Hellewell
Hillyard	Madsen		

1st Sub. S.B. 268 was returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House substituted and passed, **S.B. 160**, PHYSICIAN LICENSING AMENDMENTS, by Senator B. Evans, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

SECOND READING CALENDAR

H.B. 221, AMBULANCE AND PARAMEDIC FEE AMENDMENTS, was read the second time. Senator Peterson explained the bill. Senator Valentine

declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Evans	Fife	Goodfellow	Hale
Hatch	Jenkins	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Bramble	Buttars	Eastman
Hellewell	Hickman	Hillyard	Killpack
Madsen	Thomas		

* * *

1st Sub. H.B. 224, RETIREMENT SYSTEM PARTICIPATION, was read the second time. Senator Evans explained the bill. The bill passed second reading on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bell	Bramble	Buttars	Hellewell
Hickman	Hillyard	Madsen	Stephenson
Thomas			

* * *

H.B. 266, FIRE ALARM SYSTEM CERTIFICATION REQUIREMENTS, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Christensen	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Jenkins	Killpack	Knudson
Mansell	Mayne	McCoy	Peterson
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Bramble	Buttars	Davis
Hellewell	Hickman	Hillyard	Madsen
Stephenson	Thomas		

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House substituted and passed, **3rd Sub. S.B. 71**, CONSUMER CREDIT PROTECTION, by Senator C. Walker, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 84**, NONPROFIT ENTITY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

SECOND READING CALENDAR

H.B. 293, TRANSPORTATION − OVERSIZE AND OVERWEIGHT PERMIT, was read the second time. Senator Peterson explained the bill. Senator Peterson declared a conflict of interest. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Buttars	Hale	Hellewell
Hickman	Hillyard	Madsen	Stephenson

* * *

H.B. 296, GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT, was read the second time.

On motion of Senator Peterson, the bill was circled.

* * *

H.B. 285, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, was read the second time. Senator Hale explained the bill. Senator Bramble commented. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Hellewell	Hickman
Hillyard	Madsen		

On motion of Senator Hale, **H.B. 285** was placed on Third Reading Table due to fiscal impact.

* * *

On motion of Senator Thomas, the circle was removed from **H.B. 102**, SENTENCING FOR FIRST DEGREE FELONY MURDER, and it was before the Senate. Senator Thomas explained the bill. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Hellewell	Hickman
Hillyard	Madsen		

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The House passed, **1st Sub. S.B. 41**, RESTRICTIONS ON USE OF PHYSICIAN DISCLOSURES, by Senator D. Thomas, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 161**, MECHANICS' LIEN AND PAYMENT AMENDMENTS, by Senator S. Jenkins, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 174**, IN−STATE TUITION FOR MEMBERS OF UTAH NATIONAL GUARD, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 198**, PROPERTY TAX − INTANGIBLE PROPERTY, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 41, 1st Sub. S.B. 161, S.B. 174, and **S.B. 198** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson and at 4:00 p.m., the Senate adjourned until 9:00 a.m., Tuesday, February 28, 2006.

FEBRUARY 28, 2006

FORTY−FOURTH DAY

MORNING SESSION

The Senate was called to order at 9:50 a.m., with President John Valentine presiding.

Prayer − Senator Patrice Arent
Pledge of Allegiance − Senator Tom Hatch
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 27, 2006

The Speaker of the House has signed **S.B. 36**, SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION, by Senator M. Dmitrich, and it is transmitted for the signature of the President; and

The House passed, **S.B. 224**, MOTOR VEHICLE INSURANCE AMENDMENTS, by Senator S. Killpack, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 268**, PROPERTY RIGHTS OMBUDSMAN, by Senator L. A. Mansell, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 36, S.B. 224, and **1st Sub. S.B. 268** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 27, 2006

The House has rejected **S.B. 54**, REVENUE FLOW FROM SPEEDING VIOLATIONS, by Senator J. Hickman, et al, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

S.B. 54 was returned to the staff for filing.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 27, 2006

The Rules Committee recommends that, under suspension of the rules, the following bills be placed at the bottom of the Second Reading Calendar:

H.B. 109	Sales and Use Tax − Food and Food Ingredients and Local Taxes (Rep. M. Newbold)
1st Sub. H.B. 132	Local Land Use Requirements (Rep. M. Morley)
1st Sub. H.B. 158	Sex Offender Amendments (Rep. B. Dee)
H.B. 357	Water Issues Task Force (Rep. D. Ure)
H.B. 161	Sexual Offenses Against Children − Sentencing Amendments (Rep. P. Ray)
H.B. 241	Industrial Protection Act (Rep. R. Menlove)
1st Sub. H.B. 28	Access and Fee Amendments to Government Records Access and Management Act (Rep. D. Aagard)
2nd Sub. H.B. 309	Municipal Energy Sales and Use Tax Amendments (Rep. G. Hughes)
H.B. 117	Grama Records Committee Appeal (Rep. C. Moss)
H.B. 248	Executive and Legislative Coordination Act (Rep. D. Hogue)
H.B. 137	Medication Aide Certified (Rep. R. Lockhart)
H.B. 322	Costs of Divorce (Rep. P. Wallace)
H.B. 436	Legislative District Changes to Accommodate County Boundary Change (Rep. G. Hughes)
H.B. 129	Public Health Amendments (Rep. B. Last)
1st Sub. H.B. 317	Administrative Rule Criminal Penalty Amendments (Rep. D. Ure)
1st Sub. H.B. 151	Adjustments in Funding for Concurrent Enrollment (Rep. M. Dayton)
1st Sub. H.B. 139	State Antiquities and Historic Sites Amendments (Rep. B. Johnson)
H.B. 311	Cultural Sites Protection Amendments (Rep. B. Johnson)
H.B. 423	Limitation on Local Highway Authorities (Rep. W. Harper)
H.B. 167	School Uniforms (Rep. C. Frank)
H.B. 130	Adoption Amendments (Rep. A. Hardy)
H.B. 371	Transient Room Taxes Amendments (Rep. D. Clark)
H.B. 372	Expenditure of Local Option Transportation Tax Revenue (Rep. B. Ferry)
3rd Sub. H.B. 133	Commercial Transactions of Personal Property (Rep. R. Lockhart)

H.B. 413	Comparative Negligence Amendments (Rep. S. Wyatt)
H.B. 298	Driver License − Application of Minor (Rep. D. Litvack)
1st Sub. H.B. 77	School District Boundaries (Rep. D. Cox)
H.B. 328	Eliminating the Age Requirement for Hunting Small Game (Rep. C. Oda)
1st Sub. H.B. 394	Relocating Outdoor Advertising (Rep. D. Ure)
H.B. 192	Instructional Materials for Disabled Students (Rep. D. G. Buxton)
H.B. 223	Trespass Law Amendments (Rep. K. Gibson)
1st Sub. H.B. 446	Surplus Lands Amendments (Rep. M. Walker)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

INTRODUCTION OF BILLS

S.B. 5, **Amendments to the Minimum School Program Budget** (H. Stephenson), read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Senator Evans, the Senate voted to concur in the House amendments to **S.B. 160**, PHYSICIAN LICENSING AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Eastman	Jenkins	Killpack

S.B. 160 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Walker, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 71**, CONSUMER CREDIT PROTECTION. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Eastman	Mansell

3rd Sub. S.B. 71 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 84**, NONPROFIT ENTITY AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator

Mansell

S.B. 84 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **1st Sub. S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, and it was before the Senate. Senator Hillyard explained the bill. The Senate voted to concur in the House amendments to **1st Sub. S.B. 37**. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Killpack Mansell

1st Sub. S.B. 37 was returned to the House for consideration.

THIRD READING CALENDAR

H.B. 244, AGGRAVATED ASSAULT BY PRISONERS AMENDMENT, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

H.B. 244 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 127, LIMITED LIABILITY COMPANY AMENDMENTS, was read the third time and explained by Senator Bramble.

Senator Bramble proposed the following amendment:

1. Page 3, Line 87 through Page 4, Line 90
House Floor Amendments
2−8−2006

87 (3) {~~Notwithstanding any other applicable law, a~~} A series' debts, liabilities, obligations,

88 and expenses are enforceable against the assets of that series only, and not against the assets of

89 the company generally or any other series if:

90 (a) the operating agreement provides for separate treatment of the series;

2. Page 4, Lines 96 through 98
House Floor Amendments
2−8−2006:

96 (4) {~~Unless otherwise provided in the operating agreement, none~~} None of the debts, liabilities,

97 obligations, and expenses incurred, contracted for, or otherwise existing with respect to the

98 company generally or any other series are enforceable against the assets of a series {~~,~~} if:

(a) the operating agreement provides for separate treatment of the series;

(b) separate and distinct records are maintained concerning the series;

(c) the assets associated with the series are held and accounted for separately from the other assets of the company and any other series; and

(d) notice of the limitation on liability of a series is included in the company's articles of organization.

3. Page 4, Line 98b
a. House Floor Amendments
b. 2−8−2006:

98b through a manager. ←Ĥ

(6) Notwithstanding other provisions of this section:

(a) property and assets of a series may not be transferred to the company generally or another series if the transfer impairs the ability of the series releasing the property or assets to pay its debts existing at the time of the transfer unless fair value is given to the transferring series for the property or assets transferred; and

(b) a tax or other liability of the company generally or of a series may not be assigned by the series against which the tax or other liability is imposed to the company generally or to another series within the company if the assignment impairs a creditor's right and ability to fully collect an amount due when owed.

Senator Bramble's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 127, as amended, was returned to the House for further consideration.

* * *

1st Sub. H.B. 6, UTILITY IMPROVEMENT DISTRICTS REVISIONS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard

Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 6 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 461, VETERANS NURSING HOME − EXTENSION BOND AUTHORIZATION, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

H.B. 461 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 125, STATE LONG−TERM CARE FOR INMATES, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Christensen

H.B. 125 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 254, CHILD CARE LICENSING RESTRICTIONS, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Christensen	Hillyard	Madsen

1st Sub. HB. 254 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 11, RETIREMENT OFFICE AMENDMENTS, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Christensen Madsen

H.B. 11 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 209, PARTIAL LUMP−SUM RETIREMENT PAYMENT OPTION, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Christensen Madsen

H.B. 209 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 221, AMBULANCE AND PARAMEDIC FEE AMENDMENTS, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 221 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 224, RETIREMENT SYSTEM PARTICIPATION, was read the third time, explained by Senator Evans, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 224 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 266, FIRE ALARM SYSTEM CERTIFICATION REQUIREMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

H.B. 266 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 293, TRANSPORTATION − OVERSIZE AND OVERWEIGHT PERMIT, was read the third time and explained by Senator Peterson. Senator Peterson declared a conflict of interest. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Hickman

H.B. 293 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 102, SENTENCING FOR FIRST DEGREE FELONY MURDER, was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Hickman

H.B. 102 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Thomas, the circle was removed from **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, and it was before the Senate. Senator Thomas explained the bill.

Senator Thomas proposed the following amendment:

1. Page 1, Lines 19 through 20
House Floor Amendments
2−13−2006

19 {~~▶ provides that certain communications between citizens and elected officials are~~

20 ~~protected records;~~ }

2. Page 11, Lines 329 through 331:

329 (19) (a) (i) personal files of a state legislator, including personal correspondence to or

330 from a member of the Legislature[~~, provided that~~] {~~subject to the provisions of Subsection (51)~~ } ;

331 and

3. Page 16, Lines 474 through 476:

474 from an anonymous complainant regarding a child care program or residential child care {~~[~~} . {~~]~~} ~~; and~~

475 ~~(51) a communication between a citizen of the state and an elected official, unless one~~

476 ~~of the parties to the communication elects to make the communication public.~~

Senator Thomas' motion to amend passed on a voice vote. Senators Arent, Hillyard, and Hellewell commented. Senator Thomas declared a conflict of interest.

On motion of Senator Thomas, under suspension of the rules, **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Goodfellow
Hale	Hatch	Hellewell	Hickman
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	Valentine

Voting in the negative were: Senators

Buttars	Evans	Fife	Waddoups

Absent or not voting was: Senator
Hillyard

H.B. 12, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Bell, under suspension of the rules, **S.B. 201**, ANTICAMCORDER PIRACY, was considered read the second and third times. Senator Bell explained the bill. This bill did not have a Senate standing committee hearing. Senators Stephenson, Arent, and McCoy commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hale	Hillyard

S.B. 201 was transmitted to the House.

* * *

S.B. 270, INDIVIDUAL INCOME TAX REVISIONS, was read the second time.

On motion of Senator Hatch, the bill was circled.

* * *

On motion of Senator Knudson, under suspension of the rules, **1st Sub. H.B. 47**, SALES TAX DIVERSION FOR WATER PROJECTS AND WATER FINANCING, was considered read the second and third times.

Senator Hatch proposed the following amendment:

1. Page 1, Lines 18 through 19

18 credits to and used by the Division of Water Rights for hiring staff;

► requires that certain state sales and use tax revenues be transferred as dedicated credits to and used by the Department of Natural Resources for watershed rehabilitation or restoration;

► requires that certain state and sales and use tax revenues be transferred as dedicated credits to and used by the Division of Water Resources for cloud seeding;

19 ► addresses the treatment of unexpended funds; and

2. Page 8, Lines 227 through 228:

227 (ii) $17,500,000.

(b) (i) The first $500,000 of the difference described in Subsection (5)(a) shall be:

(A) transferred each fiscal year to the Department of Natural Resources as dedicated credits; and

(B) expended by the Department of Natural Resources for watershed rehabilitation or restoration.

(ii) At the end of each fiscal year 100% of any unexpended dedicated credits described in Subsection (5)(b)(i) shall lapse to the Water Resources Conservation and Development Fund created in Section 73−10−24.

(c) (i) After making the transfer required by Subsection (5)(b)(i), $150,000 of the remaining difference described in Subsection (5)(a) shall be:

(A) transferred each fiscal year to the Division of Water Resources as dedicated credits; and

(B) expended by the Division of Water Resources for cloud−seeding projects authorized by Title 73, Chapter 15, Modification of Weather.

(ii) At the end of each fiscal year 100% of any unexpended

dedicated credits described in Subsection (5)(c)(i) shall lapse to the Water Resources Conservation and Development Fund created in Section 73−10−24.

228 {~~(b) Ninety−four percent~~} (d) After making the transfers required by Subsections (5)(b) and (c), 94% of the remaining difference described in Subsection (5)(a) shall be

3. Page 8, Line 242:

242 (I) any combination of Subsections (5) {~~(b)~~} (d) (i)(A) through (H);

4. Page 9, Lines 248 through 249:

248 Subsection (4)(e)(ii) after funding the uses specified in Subsections (5) {~~(b)~~} (d) (i) through (iii).

249 {~~(c)~~} (e) Any unexpended monies described in Subsection (5) {~~(b)~~} (d) that remain in the Water

5. Page 9, Line 251:

251 {~~(d) Subject~~} (f) After making the transfers required by Subsections (5)(b) and (c) and subject to Subsection (5) {~~(e)~~} (g) , 6% of the remaining difference described in Subsection (5)(a)

6. Page 9, Lines 254 through 255:

254 {~~(e)~~} (g) At the end of each fiscal year, any unexpended dedicated credits described in

255 Subsection (5) {~~(d)~~} (f) over $150,000 lapse to the Water Resources Conservation and Development

7. Page 13, Line 389:

389 (1) replace Subsection 59−12−103(5) {~~(b)~~} (d) (i) to read as follows:

8. Page 13, Line 395:

395 (2) replace Subsection 59−12−103(5) {~~(b)~~} (d) (iii) to read as follows:

Senator Hatch's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Goodfellow	Hatch	Hellewell	Jenkins
Knudson	Madsen	Mansell	Mayne
Peterson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Fife	Hale	McCoy
Stephenson			

Absent or not voting were: Senators

Hickman	Hillyard	Killpack

1st Sub. H.B. 47, as amended, was returned to the House for further consideration.

* * *

H.B. 80, ENERGY SAVINGS IN STATE BUILDINGS, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Goodfellow, under suspension of the rules, **H.B. 93**, CLEAN FUEL VEHICLE FUND AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Hatch	Hickman	Hillyard

H.B. 93 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, under suspension of the rules, **1st Sub. H.B. 138**, MERCURY SWITCH REMOVAL ACT, was considered read the second and third times.

Senator Eastman proposed the following amendment:

1. Page 4, Line 117:
   Delete "$5" and insert "$3"

Senator Eastman's motion to amend failed on a voice vote. Senators Christensen, Arent, and Waddoups commented. The bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Eastman

Absent or not voting were: Senators

Hatch	Hillyard

1st Sub. H.B. 138 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 142, CENTER FOR MULTICULTURAL HEALTH − DUTIES, was read the second time.

On motion of Senator Hellewell, the bill was circled.

* * *

On motion of Senator Bell, under suspension of the rules, **H.B. 169**, DRIVER LICENSE RECORDS ACCESS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Absent or not voting were: Senators

Hillyard	Mansell	Walker

H.B. 169 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Senator Hickman, under suspension of the rules, made the motion to recall **H.B. 76,** HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES from the House. Senators Evans, Stephenson, Jenkins, and Mayne commented. The motion passed on a voice vote.

* * *

On motion of Senator Waddoups, under suspension of the rules, **1st Sub. H.B. 156**, HEALTH INSURANCE ACCESSIBILITY, was considered read the second and third times.

Senator Knudson proposed the following amendment:

1. Page 8, Line 239:
   After "(C)" delete "<u>allergic rhinitis, nonallergic rhinitis, hay fever, dust allergies, pollen allergies,</u>"

Senator Knudson's motion to amend failed on a voice vote. Senator Bell commented and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 156, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Knudson, the circle was removed from **H.B. 80**, ENERGY SAVINGS IN STATE BUILDINGS.

On motion of Senator Knudson, under suspension of the rules, **H.B. 80**, ENERGY SAVINGS IN STATE BUILDINGS, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 80 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Bell, the circle was removed from **H.B. 39**, UTAH INTERNATIONAL TRADE COMMISSION.

Senator Bell proposed the following amendment:

1. Page 1, Lines 16 through 16b
House Floor Amendments
2−6−2006

16 • the promotion of international trade relationships with Utah Ĥ→ [.] ; {~~and~~ }

16a requires the governor to consult with the commission before binding the state to an

16b international trade agreement {~~.~~ } ; and
►provides a repeal date. ←Ĥ

2. Page 1, Line 21
House Floor Amendments
2−6−2006:

21 Utah Code Sections Affected:
AMENDS:
63−55−236, as last amended by Chapter 86, Laws of Utah 2005
63−55−267, as last amended by Chapter 37, Laws of Utah 2004

3. Page 1, Line 26
House Floor Amendments
2−6−2006:

26 36−26−104, Utah Code Annotated 1953
67−1−15, Utah Code Annotated 1953

4. Page 3, Lines 85 through 86
House Floor Amendments
2−6−2006:

85 The Office of Legislative Research and General Counsel shall provide staff services to

86 the commission.
Section 5. Section 63−55−236 is amended to read:
63−55−236. Repeal dates, Title 36.

Sections 36−26−101 through 36−26−104 are repealed December 31, 2007.

63−55−267. Repeal dates, Title 67.

Section 67−1−15 is repealed December 31, 2007.

Senator Bell's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Evans	Hickman	Mansell

H.B. 39, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Peterson, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Peterson, the circle was removed from **H.B. 296**, GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT. Senator Mansell commented. The bill passed second reading on the following roll call:

Yeas, 27; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Mansell

Absent or not voting was: Senator
Hickman

* * *

On motion of Senator Hillyard, the circle was removed from **H.B. 142**, CENTER FOR MULTICULTURAL HEALTH − DUTIES, and it was before the Senate. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 1; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative was: Senator
Evans

On motion of Senator Hillyard, **H.B. 142** was placed on Third Reading Table due to fiscal impact.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The House passed, **S.B. 107**, TITLE TO MANUFACTURED HOUSING OR MOBILE HOMES, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 221**, LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 107 and **2nd Sub. S.B. 221** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House substituted and passed, **1st Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: February 28, 2006

The House refused to concur with the Senate Amendments to **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Hatch, the Senate voted to refuse to recede from its amendments to **1st Sub. H.B. 160**. President Valentine appointed a conference committee consisting of Senators Hatch, Jenkins, and Fife to meet with a like committee from the House.

* * *

Mr. President: February 28, 2006

The House refuses to recede from its amendments to **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, and has appointed a Conference Committee consisting of Representatives G. Snow, K. Morgan, and M. Walker to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

President Valentine appointed a conference committee consisting of Senators Mansell, Walker, and Dmitrich to meet with a like committee from the House.

* * *

On motion of Senator Knudson, and at 12:00 noon, the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The Speaker of the House has signed **1st Sub. S.B. 37**, INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 71**, CONSUMER CREDIT PROTECTION, by Senator C. Walker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 84**, NONPROFIT ENTITY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 160**, PHYSICIAN LICENSING AMENDMENTS, by Senator B. Evans, and it is transmitted for the signature of the President; and

The House passed, **S.B. 214**, OFFICE OF STATE DEBT COLLECTION AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 37, 3rd Sub. S.B. 71, S.B. 84, S.B. 160, and **S.B. 214** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House substituted, amended, and passed, **1st Sub. S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT, by Senator P. Knudson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: February 28, 2006

The House transmits **H.B. 76**, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, by Representative B. Daw, et al, for further consideration.

Sandy D. Tenney, Chief Clerk

Communications filed.

SECOND READING CALENDAR

H.B. 260, STATE OFFICE OF REHABILITATION − BUDGET RECOMMENDATIONS, was read the second time. Senator Christensen explained the bill. The bill passed second reading on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hale	Killpack
Madsen			

On motion of Senator Christensen, **H.B. 260** was placed on Third Reading Table due to fiscal impact.

* * *

On motion of Senator Hickman, the Senate voted to reconsider its action, under suspension of the rules, on **H.B. 76**, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES.

On motion of Senator Hickman, the bill was placed at the top of the Second Reading Calendar.

H.B. 76, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, was before the Senate and explained by Senator Jenkins. Senators

Evans, Stephenson, and Hellewell commented and the bill passed second reading on the following roll call:

Yeas, 20; Nays, 9; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Mayne
McCoy			

* * *

On motion of Senator Knudson, legislative staff was authorized to draft a bill regarding Skull Valley Resolution.

* * *

H.B. 263, CHILD CARE REVISIONS, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Walker, under suspension of the rules, **H.B. 267**, TRANSPORTATION CONSTRUCTION AMENDMENTS, was considered read the second and third times. Senator Buttars commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Bramble

H.B. 267 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Peterson, under suspension of the rules, **1st Sub. H.B. 274**, REMOVAL OF COUNTY OR PROSECUTION DISTRICT OFFICER AMENDMENTS, was considered read the second and third times. Senator Thomas declared a conflict of interest. Senator Thomas commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Bramble

1st Sub. H.B. 274 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, the Senate voted to move to the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Waddoups, the Senate refused to concur in the House amendments and asked the House to recede from their amendments. **1st Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, was returned to the House.

* * *

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **1st Sub. S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT. The bill, as amended, passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Buttars	Hale

1st Sub. S.B. 127 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Evans, under suspension of the rules, **H.B. 284**, VETERINARY PRACTICE ACT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Goodfellow	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Bramble	Buttars	Fife
Hale	Hatch	Jenkins	

H.B. 284 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

2nd Sub. H.B. 338, PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY, was read the second time.

On motion of Senator Hickman, the bill was circled.

* * *

On motion of Senator Hickman, under suspension of the rules, **2nd Sub. H.J.R. 1**, RESOLUTION REGARDING PROPERTY TAX ON PERSONAL PROPERTY, was considered read the second and third times. Senator Thomas commented and the bill passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators

Arent	Christensen	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Jenkins
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Thomas

Absent or not voting were: Senators

Bell	Bramble	Buttars	Hale
Hillyard	Knudson		

2nd Sub. H.J.R. 1 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hickman, the circle was removed from **2nd Sub. H.B. 338**, PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY. Senators Thomas and Stephenson commented.

On motion of Senator Hickman, under suspension of the rules, **2nd Sub. H.B. 338**, PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Hale Killpack

2nd Sub. H.B. 338 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, the circle was removed from **H.B. 263**, CHILD CARE REVISIONS.

Senator Bell proposed the following amendment:

1. Page 2, Line 58:
   Delete ":"

2. Page 3, Line 59:
   Delete "(A)"

3. Page 3, Line 59a:
   Delete "; and" and insert "including"

4. Page 3, Line 60:
   Delete "(B)"

Senator Bell's motion to amend passed on a voice vote.

On motion of Senator Bell, under suspension of the rules, **H.B. 263**, CHILD CARE REVISIONS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard

Jenkins	Killpack	Madsen	Mansell
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Knudson Mayne

H.B. 263, as amended, was returned to the House for further consideration.

* * *

1st Sub. H.B. 72, WORKERS' COMPENSATION FOR THE STATE, was read the second time. Senator Hatch explained the bill. Senator Bramble made a motion to substitute the bill. Senators Hillyard, Thomas, Stephenson, Mansell, Killpack, and Mayne commented. The motion failed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

* * *

On motion of Senator Walker, the circle was removed from **H.B. 83**, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, and it was before the Senate. Senator Walker explained the bill. Senators Bell, Waddoups, and Arent commented.

On motion of Senator Walker, under suspension of the rules, **H.B. 83**, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, was considered read the second and third times and failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Eastman
Fife	Hale	Jenkins	Killpack
Madsen	McCoy	Peterson	Stephenson
Thomas	Walker		

Voting in the negative were: Senators

Buttars	Davis	Dmitrich	Evans
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Knudson	Mansell	Mayne
Waddoups	Valentine		

Absent or not voting was: Senator
Bramble

H.B. 83 was filed.

* * *

On motion of Senator Waddoups, the Senate voted to suspend the rules and hear bills below the line that have not been on the board for 24 hours.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The House passed, **1st Sub. S.B. 86**, AMENDMENTS TO CHILD CARE, by Senator P. Hellewell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 225**, PAYMENT OF TAX OR BONDING IN TAX CASES, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 260**, CAPITOL PRESERVATION BOARD REVISIONS, by Senator B. Evans, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 86, S.B. 225, and **S.B. 260** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House adopted the Joint Conference Committee Report dated February 28, 2006, and passed **1st Sub. S.B. 267**, CHANGES TO LOCAL

GOVERNMENT PROVISIONS, by Senator L. A. Mansell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: February 28, 2006

The Joint Conference Committee comprised of Sens. Mansell, Walker, and Dmitrich, and Reps. Snow, Walker, and Morgan, recommends **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, with the following amendments:

1. Page 11b, Lines 331az through 331ba:

331az Ŝ➔ (ii) a fire suppression vehicle with a ladder reach of at least 75 feet , costing in excess of { ~~$1,000,000~~ } $1,250,000 , that is necessary for fire

331ba suppression in commercial areas with one or more buildings at least five stories high .

Sen. Al Mansell and
Rep. Gordon Snow, Chairs

On motion of Senator Mansell, the Senate voted to accept the Conference Committee report. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

INTRODUCTION OF BILLS

S.C.R. 5, **Resolution Opposing Transport and Storage of Spent Nuclear Fuel** (P. Knudson), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Knudson, the Senate voted to lift **S. C. R. 5** from Rules and place it on the calendar.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Hillyard, the Senate voted to lift **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Hillyard, the bill was circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives M. Morley, S. Clark, and L. Wiley to meet with a like committee from the Senate to consider or amend **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley.

Sandy D. Tenney, Chief Clerk

Mr. President: February 28, 2006

The Joint Conference Committee comprised of Sens. Hatch, Jenkins, and Fife, and Reps. Morley, Wiley, and Clark, S., recommends **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley, with the following amendments:

A. Include all House amendments of the lilac copy dated 2−16−2006.

B. Do not include the Senate amendments.

C. Also include the following amendments:

1. Page 2, Lines 35 through 36
House Floor Amendments
2−16−2006:

35 AMENDS:
38−1−2, as last amended by Chapter 365, Laws of Utah 1999

36 38−1−7, as last amended by Chapter 64, Laws of Utah 2005

2. Page 2, Line 47
House Floor Amendments
2−16−2006:

47 Be it enacted by the Legislature of the state of Utah:

Section 1. Section 38−1−2 is amended to read:

38−1−2. "Contractors" and "subcontractors" defined.

{ ~~Any~~ } (1) Except for a person who contracts with an owner−builder, a person who does work or furnishes materials by contract, express or implied, with the owner, as provided in this chapter, { ~~shall be~~ } is considered an original contractor, and { ~~all~~ } any other { ~~persons~~ } person doing work or furnishing materials { ~~shall be~~ } is considered { ~~subcontractors~~ } to be a subcontractor .

(2) As used in this chapter:

(a) "original contract" means a contract between an original contractor and the owner of real property to furnish labor, equipment, or materials to the real property;

(b) "original contract" does not include a contract between an owner−builder and another person;

(c) an "original contract" is considered to exist between an owner−builder and itself; and

(d) "owner−builder" means an owner of real property who obtains a building permit for work on the owner's property that will consist of more than one contract between the owner and any other person.

Renumber remaining sections accordingly.

3. Page 5, Lines 137 through 145:

137 { ~~(h) "Original contract":~~

138 ~~(i) means a contract between an original contractor, as that term is used in Section~~

139 ~~38−1−2, and the owner of real property or the owner's agent to furnish labor, equipment, or~~

140 ~~materials to the property; and~~

141 ~~(ii) does not include a contract between an owner−builder and another person.~~

142 ~~(i) "Owner−builder" means an owner of real property who obtains a building permit for~~

143 ~~work on the owner's property that will consist of more than one contract between the owner~~

144 ~~and another person.~~ }

145 {~~[~~} (h) {~~]~~} {~~(j)~~ } "Program" means the State Construction Registry Program created in this

4. Page 13, Line 377
House Floor Amendments
2−16−2006:

377 (1) (a) (i) {~~A~~} Except for a person who has a contract with an owner or an owner−builder, a subcontractor {~~or supplier~~} shall file a preliminary notice with the database

5. Page 13, Line 391
House Floor Amendments
2−16−2006:

391 (b) If a {~~subcontractor or supplier~~} person files a preliminary notice after the period prescribed

6. Page 13, Line 395
House Floor Amendments
2−16−2006:

395 precludes a {~~subcontractor or supplier~~} person from [~~filing~~] maintaining any claim for compensation

7. Page 14, Line 398:

398 notice, except as against the person with whom the {~~subcontractor or supplier~~} person contracted.

8. Page 14, Lines 417 through 418
House Floor Amendments
2−16−2006:

417 (iii) Upon request by a {~~subcontractor or supplier~~ } person identified in Subsection 38−1−32(1)(a)(i) , an original contractor shall provide

418 the {~~subcontractor or supplier~~ } person with the building permit number for the project, or the number

9. Page 14, Lines 419a through 419b
House Floor Amendments
2−16−2006:

419a Ŝ➔ {~~(e) An original contractor, or other person who has a contract directly with the owner of a~~

419b ~~construction project, need not file a preliminary notice under this section.~~ } ←Ŝ

Sen. Tom Hatch and
Rep. Mike Morley, Chairs

On motion of Senator Hatch, the Senate voted to accept the Conference Committee report. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Arent	Bell	Mansell	Thomas

1st Sub. H.B. 160 was returned to the House for further consideration.

* * *

On motion of Senator Knudson, and at 4:00 p.m., the Senate sauntered.

The Senate was called to order at 4:40 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The House passed, **S.B. 205**, REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 228**, SPECIAL REVENUE FUND FOR SALINITY OFFSET PROGRAM, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 205 and **S.B. 228** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House substituted and passed, **1st Sub. S.B. 68**, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, by Senator P. Hellewell, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 168**, COMMUNITY ASSOCIATION ACT AMENDMENTS, by Senator M. Waddoups, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 240**, TEMPORARY MEDICAID CERTIFICATION OF NURSING HOME BEDS, by Senator G. Davis, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

* * *

On motion of Senator Hillyard, the Senate voted to move to Third Reading Table.

THIRD READING TABLE

On motion of Senator Hillyard, the Senate voted to lift **H.B. 260** off the Third Reading Table and place it at the bottom of the Third Reading Calendar.

SECOND READING CALENDAR

H.B. 109, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS AND LOCAL TAXES, was read the second time. This bill did not have a Senate standing committee hearing.

On motion of Senator Eastman, the bill was circled.

* * *

1st Sub. H.B. 132, LOCAL LAND USE REQUIREMENTS, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

1st Sub. H.B. 158, SEX OFFENDER AMENDMENTS, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

On motion of Senator Knudson, under suspension of the rules, **H.B. 357**, WATER ISSUES TASK FORCE, was considered read the second and third times. Senator Hickman commented and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
McCoy	Peterson	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Davis	Killpack
Mansell	Mayne	Stephenson	Thomas
Waddoups	Walker		

H.B. 357 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, under suspension of the rules, **H.B. 161**, SEXUAL OFFENSES AGAINST CHILDREN − SENTENCING AMENDMENTS, was considered read the second and third times. This bill did not have a Senate standing committee hearing. The bill passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
McCoy	Peterson	Stephenson	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Davis	Killpack
Mansell	Mayne	Thomas	Waddoups
Walker			

H.B. 161 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, under suspension of the rules, **H.B. 241**, INDUSTRIAL PROTECTION ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	McCoy	Peterson
Stephenson	Thomas	Valentine	

Absent or not voting were: Senators

Bramble	Buttars	Mansell	Mayne
Waddoups	Walker		

H.B. 241 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Thomas, under suspension of the rules, **1st Sub. H.B. 28**, ACCESS AND FEE AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Evans

Absent or not voting were: Senators
Buttars Mansell

1st Sub. H.B. 28 was returned to the House for further consideration. Senator Thomas declared a conflict of interest.

* * *

On motion of Senator Waddoups, the circle was removed from **1st Sub. H.B. 132**, LOCAL LAND USE REQUIREMENTS.

Senator Thomas proposed the following amendment:

1. Page 7, Line 209
House Floor Amendments
2−13−2006

209 conforms to the requirements of Ĥ→ [~~an~~] the municipality's land use maps {− ~~or~~ } , zoning map, and ←Ĥ applicable

2. Page 15, Line 431
House Floor Amendments
2−13−2006:

431 conforms to the requirements of Ĥ→ [~~an~~] the county's land use maps {− ~~or~~ } , zoning map, and ←Ĥ applicable land use

Senator Thomas' motion to amend passed on a voice vote.

On motion of Senator Waddoups, under suspension of the rules, **1st Sub. H.B. 132**, LOCAL LAND USE REQUIREMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bramble Mansell

1st Sub. H.B. 132, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Killpack, under suspension of the rules, **2nd Sub. H.B. 309**, MUNICIPAL ENERGY SALES AND USE TAX AMENDMENTS, was considered read the second and third times. This bill did not have a Senate standing committee hearing. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators
Bramble Buttars Mansell

2nd Sub. H.B. 309 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Senator Knudson made the motion to recall **H.B. 83**, DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT, for the purpose of reconsideration. The motion failed on the following roll call:

Yeas, 14; Nays, 14; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Eastman
Fife	Goodfellow	Hale	Killpack
Knudson	McCoy	Peterson	Stephenson
Thomas	Walker		

Voting in the negative were: Senators

Bramble	Davis	Dmitrich	Evans
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Madsen	Mansell	Mayne
Waddoups	Valentine		

Absent or not voting was: Senator
Buttars

* * *

On motion of Senator Killpack, the circle was removed from **1st Sub. H.B. 158**, SEX OFFENDER AMENDMENTS.

On motion of Senator Killpack, under suspension of the rules, **1st Sub. H.B. 158**, SEX OFFENDER AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

1st Sub. H.B. 158 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, and it was before the Senate.

S.B. 4, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, was read the second time.

Senator Hillyard proposed the following amendment:

1. Page 11, Line 389:
After line 389, insert: "Budgeted FTE 3.0"

2. Page 11, Line 401:
After "HUMAN" delete "RESOURCES" and insert "RESOURCE MANAGEMENT"

3. Page 11, Line 402:
After "Human" delete "Resources" and insert "Resource Management"

4. Page 13, Line 479:
After Line 479 insert:
"From:Transfers−Health $6,135,900"

5. page 13, Line 486:
Delete "26,435,200" and insert "32,571,100"

6. Page 14, Line 495:
After Line 495 insert:
"The Legislature intends that $4,344,000 in funds appropriated from the Unemployment Compensation Trust come from the October 1999 ($878,518), October 2000 ($891,084), October 2001 ($924,887), and March 2002 ($2,849,511) Reed Act Distributions, and that they be used for Unemployment Insurance automation projects, consistent with Section 903(d) of the Federal Social Security Act."

7. Page 25, Line 940:
Delete "3,435,300" and insert "3,602,600"

8. Page 26, Line 944:
Delete "2,650,600" and insert "2,817,900"

9. Page 26, Line 970:
Delete "472,100" and insert "477,600"

10. Page 26, Line 974:
Delete "510,200" and insert "515,700"

11. Page 27, Line 1009:
Delete "76,000" and insert "87,200"

12. Page 27, Line 1011:
Delete “214,200” and insert “225,400”

13. Page 28, Line 1031:
Delete “716,900” and insert “772,900”

14. Page 28, Line 1035:
Delete “92,000” and insert “148,000”

15. Page 28, Line 1039:
Delete “480,000” and insert “630,000”

16. Page 28, Line 1040:
Delete line1040

17. Page 28, Lines 1043−1048:
Delete lines 1043−1048

18. Page 29, Line 1079:
Delete “370,000” and insert “294,900”

19. Page 29, Line 1082:
Delete “440,000” and insert “364,900”

20. Page 29, Line 1092:
Delete “95,000” and insert “87,600”

21. Page 29, Line 1095:
Delete “114,000” and insert “106,600”

22. Page 30, Line 1099:
Delete “218,700” and insert “111,200”

23. Page 30, Line 1102:
Delete “217,300” and insert “109,800”

24. Page 31, Lines 1134−1137:
Delete lines 1134−1137 and insert:
“ITEM 125To State Board of Regents − Jobs Now Initiative
From Income Tax, One−time 500,000
Schedule of Programs:
Jobs Now Initiative 500,000”

25. Page 35, Lines 1309−1314:
Delete lines 1309−1314

26. Page 44, Line 1658:
    Delete "Apostil" and insert "Authentication"

27. Page 44, Line 1659:
    Delete "Apostil" and insert "Authentication"

28. Page 59, Line 2207
    After "HUMAN" delete "RESOURCES" and insert "RESOURCE MANAGEMENT"

29. Page 59, Line 2208:
    After "HUMAN" delete "RESOURCES" and insert "*RESOURCE MANAGEMENT*"

30. Page 144, Line 5458:
    After "Specialist " insert "225.00"

31. Page 144, Line 5459:
    Delete "Enforecable" and insert "Enforceable" and after "Letters" insert "500.00"

Senator Hillyard's motion to amend passed on a voice vote.

# # #

Senator Thomas proposed the following amendment:

1. Page 37, Line 1386:
   After line 1386 insert:
   "The Legislature intends that the State Charter School Board expend $2,100,000 of this appropriation by making equal grants to the three New Century High Schools and to the Da Vinci Academy."

Senator Thomas' motion to amend failed on a voice vote.

# # #

Senator Arent proposed the following amendment:

1. Page 21, Line 782:
   After line 782 insert:
   "From General Fund One Time 352,900"

2. Page 22, Line 794:
   After line 794, insert:
   "Utah Birth Defect Network 352,900"

3. Page 41, Line 1550:
   Delete “100,000,000” and insert “99,647,100”

4.. Page 42, Line 1552:
   Delete “100,000,000” and insert “99,647,100”

Senator Arent’s motion to amend failed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 17, Line 632:
   Delete “195,500” and insert “1,195,500”

2. Page 17, Line 639:
   Delete “95,600” and insert “1,095,600”

3. Page 41, Line 1550:
   Delete “100,000,000” and insert “99,000,000”

4. Page 42, Line 1552:
   Delete “100,000,000” and insert “99,000,000”

Senator McCoy’s motion to amend failed on a voice vote.

# # #

Senator Fife proposed the following amendment:

1. Page 22, Line 822:
   Delete “19,149,600” and insert “23,457,150”

2. Page 22, Line 827:
   After Line 827 insert:
   “Adult Dental Services 3,917,100
   Adult Vision Services 390,450”

3. Page 41, Line 1550:
   Delete “100,000,000” and insert “95,692,440”

4.. Page 42, Line 1552:
   Delete “100,000,000” and insert “95,692,440”

Senator Fife’s motion to amend failed on the following roll call:

Yeas, 8; Nays, 18; Absent, 3.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Voting in the negative were: Senators

Bell	Bramble	Christensen	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Mansell	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Buttars	Madsen	Peterson

# # #

Senator Hale proposed the following amendment:

1. Page 10, Line 364:
   Delete “1,000,000” and insert “5,000,000”

2. Page 10, Line 366:
   Delete “1,000,000” and insert “5,000,000”

3. Page 41, Line 1550:
   Delete “100,000,000” and insert “96,000,000”

4. Page 42, Line 1552:
   Delete “100,000,000” and insert “96,000,000”

Senator Hale’s motion to amend failed on a voice vote.

# # #

Senator Arent proposed the following amendment:

1. Page 25, Line 939:
   After Line 939 insert:
   “From General Fund One Time 813,200”

2. Page 26, Line 944:
   Delete “2,650,600” and insert “3,463,800”

3. Page 26, Line 952:
After Line 952 insert:
"From General Fund One Time 469,300"

4. Page 26, Line 957:
Delete "1,259,900" and insert "1,729,200"

5. Page 26, Line 969:
After Line 969 insert:
"From General Fund One Time 267,500"

6. Page 26, Line 974:
Delete "510,200" and insert "777,700"

7. Page 26, Line 977:
After Line 977 insert:
"From General Fund One Time 129,400"

8. Page 27, Line 982:
Delete "308,500" and insert "437,900"

9. Page 27, Line 985:
After Line 985 insert:
"From General Fund One Time 129,400"

10. Page 27, Line 990:
Delete "72,400" and insert "201,800"

11. Page 27, Line 993:
After Line 993 insert:
"From General Fund One Time 129,400"

12. Page 27, Line 998:
Delete "(185,400)" and insert "(56,000)"

13. Page 27, Line 1001:
After Line 1001 insert:
"From General Fund One Time 129,400"

14. Page 27, Line 1006:
Delete "208,700" and insert "338,100"

15. Page 28, Line 1022:
After Line 1022 insert:
"From General Fund One Time 266,100"

16. Page 28, Line 1027:
    Delete "221,000" and insert "487,100"

17. Page 28, Line 1030:
    After Line 1022 insert:
    "From General Fund One Time 254,300"

18. Page 28, Line 1035:
    Delete "92,000" and insert "346,300"

19. Page 41, Line 1550:
    Delete "100,000,000" and insert "97,412,000"

20. Page 42, Line 1552:
    Delete "100,000,000" and insert "97,412,000"

Senator Arent's motion to amend failed on a voice vote.

# # #

Senator Mayne proposed the following amendment:

1. Page 24, Line 875:
   After line 875 insert:
   "From General Fund One Time 1,400,000"

2. Page 24, Line 878:
   After line 878 insert:
   "Administration 1,400,000"

32. Page 41, Line 1550:
    Delete "100,000,000" and insert "98,600,000"

33. Page 42, Line 1552:
    Delete "100,000,000" and insert "98,600,000"

Senator Mayne's motion to amend failed on the following roll call:

Yeas, 8; Nays, 17; Absent, 4.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Voting in the negative were: Senators

Bell	Eastman	Evans	Hatch
Hellewell	Hickman	Hillyard	Jenkins

Killpack	Knudson	Madsen	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Buttars	Christensen	Mansell

Senators Eastman, Bramble, Christensen, Jenkins, and Goodfellow commented.

On motion of Senator Hillyard, under suspension of the rules, **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, was considered read the second and third times. The bill passed on the following roll call:

Yeas, 21; Nays, 5; Absent, 3.

Voting in the affirmative were: Senators

Bell	Christensen	Davis	Dmitrich
Eastman	Evans	Goodfellow	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Fife	Hale	Mayne
McCoy			

Absent or not voting were: Senators

Bramble	Buttars	Mansell

S.B. 4, as amended, was transmitted to the House.

* * *

On motion of Senator Mayne, under suspension of the rules, the Senate voted to lift **S.B. 131**, − AUTHORIZATION OF OPINION QUESTIONS TO VOTERS, from Rules and place it at the top of the Second Reading Calendar. Senator Waddoups commented.

S.B. 131, − AUTHORIZATION OF OPINION QUESTIONS TO VOTERS, was read the second time. Senator Mayne explained the bill.

On motion of Senator Stephenson, the following substitute bill replaced the original bill:

1st Sub. S.B. 131 Authorizing of Opinion to Voters (E. Mayne)

On motion of Senator Mayne, the bill was circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2006

The House passed, **S.B. 79**, UNIFORM DEBT−MANAGEMENT SERVICES ACT, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 127**, VACATING OR CHANGING A SUBDIVISION PLAT, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 190**, SHARED GOVERNMENT RECORDS AMENDMENTS, by Senator M. Dmitrich, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 193**, SPEED CONTEST OR EXHIBITION AMENDMENTS, by Senator K. Hale, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 232**, AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION, by Senator E. Mayne, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 236**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS AND GENERAL OBLIGATION BOND AUTHORIZATION AMENDMENTS, by Senator J. Hickman, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 79, 1st Sub. S.B. 127, 1st Sub. S.B. 190, S.B. 193, 1st Sub. S.B. 232, and **S.B. 236** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House concurred in the Senate amendments and passed **H.B. 12**, AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 39**, UTAH INTERNATIONAL TRADE COMMISSION, by Representative S. Allen, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 47**, SALES TAX DIVERSION FOR WATER PROJECTS AND WATER FINANCING, by Representative D. Ure, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 127**, LIMITED LIABILITY COMPANY AMENDMENTS, by Representative J. S. Adams, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 156**, HEALTH INSURANCE ACCESSIBILITY, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 263**, CHILD CARE REVISIONS, by Representative D. G. Buxton, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 12, H.B. 39, 1st Sub. H.B. 47, H.B. 127, 1st Sub. H.B. 156, and **H.B. 263**, were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: February 28, 2006

The House adopted the Joint Conference Committee Report dated February 28, 2006, and passed **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: February 28, 2006

The Joint Conference Committee comprised of Sens. Mansell, Walker, and Dmitrich, and Reps. Snow, Walker, and Morgan, recommends **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, with the following amendments:

1. Include the House amendments on Page 11, Line 331f, of the lilac copy dated 02−27−2006.

2. Include the Senate Second Reading amendments dated 02−21−2006, and corrected amendments dated 02−28−2006.

3. Also include the following amendments:

1. Page 11b, Lines 331az through 331ba:

331az Ŝ➔ (ii) a fire suppression vehicle with a ladder reach of at least 75 feet , costing in excess of { ~~$1,000,000~~ } $1,250,000 , that is necessary for fire

331ba suppression in commercial areas with one or more buildings at least five stories high .

Sen. Al Mansell and
Rep. Gordon Snow, Chairs

On motion of Senator Mansell, the Senate voted to adopt the revised Conference Committee report. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Jenkins	Killpack
Walker			

1st Sub. S.B. 267 was transmitted to the House.

* * *

Mr. President: February 28, 2006

The House refuses to recede from its amendments to **1st Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, and has appointed a Conference Committee consisting of Representatives B. Last, C. Oda, and K. Morgan to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Waddoups, the Senate voted to refuse to recede from its amendments to **1st Sub. S.B. 19**. President Valentine appointed a conference

committee consisting of Senators Waddoups, Christensen, and Hale to meet with a like committee from the House.

* * *

Mr. President: February 28, 2006

The House passed, as amended, **H.B. 1**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 1** was read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate: February 28, 2006

The Rules Committee recommends that, under suspension of the rules, the following bills be placed at the bottom of the Second Reading Calendar:

H.B. 304	Voiding Transactions Against Public Policy (Rep. L. Christensen)
H.B. 123	Disaster Response and Recovery Act (Rep. J. S. Adams)
1st Sub. H.B. 148	Parent and Child Amendments (Rep. L. Christensen)
H.B. 140	Amendments to Commercial Driver License Provisions (Rep. J. Alexander)
H.B. 145	Rangeland Improvement Act (Rep. B. Johnson)
H.B. 150	Workers' Compensation Revisions (Rep. M. Morley)
2nd Sub. H.B. 172	Local Land Use Provisions Relating to Schools (Rep. J. Ferrin)
H.B. 303	Aging and Adult Services Program Amendments (Rep. J. Dunnigan)
4th Sub. H.B. 90	Criminal Penalty Amendments (Rep. D. Litvack)
H.B. 198	Statewide 911 Emergency Communication Amendments (Rep. B. Dee)
1st Sub. H.B. 201	Fee Waiver Eligibility Verification (Rep. K. Holdaway)
H.B. 327	Public Employer Benefit Plans (Rep. L. Christensen)
1st Sub. H.B. 330	Allowance of State Memorials on State Property (Rep. W. Harper)
H.B. 350	Concealed Firearms Instructors (Rep. C. Oda)
H.B. 351	Carson Smith Scholarship Program Amendments (Rep. M. Newbold)
H.B. 363	Driver License − Learner Permit Provisions (Rep. J. Dougall)

H.B. 410	Sex Offender Registration Fee (Rep. L. Fowlke)
H.B. 414	Petition for Involuntary Medication of Incompetent Person (Rep. S. Wyatt)
H.B. 337	Education Resources Conservation Program (Rep. J. Biskupski)
1st Sub. H.B. 417	Amendments to Child Protection Registry (Rep. E. Hutchings)
H.B. 430	Department of Financial Institutions Pay Plan (Rep. J. Alexander)
1st Sub. H.B. 432	Access to Point−of−sale Devices (Rep. R. Barrus)
1st Sub. H.B. 100	Environmental Litigation Bond (Rep. A. Tilton)
H.B. 429	Methamphetamine − Restriction on Components (Rep. M. Morley)
H.B. 253	School Truancy Amendments (Rep. E. Hutchings)
2nd Sub. H.B. 174	Guardian Ad Litem Amendments (Rep. L. Christensen)
1st Sub. H.B. 458	Economic Development − Government Procurement Contracts (Rep. J. S. Adams)
2nd Sub. H.B. 403	Bailbond Amendments (Rep. G. Hughes)
H.B. 401	Veterans Affairs Amendments (Rep. B. Dee)
H.B. 365	Automated Teller Machine Fees (Rep. M. Walker)

Michael Waddoups
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

* * *

On motion of Senator Knudson, the Senate voted to lift **S.B. 244**, BUSINESS RESOURCE CENTERS, from Rules and place it at the top of the Second Reading Calendar.

SECOND READING CALENDAR

S.B. 244, BUSINESS RESOURCE CENTERS, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Knudson and at 6:40 p.m., the Senate adjourned until 8:00 a.m., Wednesday, March 1, 2006.

MARCH 1, 2006

FORTY−FIFTH DAY

MORNING SESSION

The Senate was called to order at 8:55 a.m., with President John Valentine presiding.

Prayer − Orlando Tsosie, Member of the Navajo Nation
Pledge of Allegiance − Senator Carlene Walker
Roll Call − All Senators present

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 83)

COMMUNICATIONS FROM THE GOVERNOR

Mr. President: February 28, 2006

VETO LETTER

After careful consideration and study, I have decided to veto **S.B. 70,** PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS. As contemplated under Art. VII, 8, cl. 1 of the Utah Constitution, I have returned the bill to the Senate with my objections.

Utah law currently provides that no person may "own, construct, modify, or operate a radioactive waste facility without" first obtaining (1) clearance from local planning authorities, (2) a license from the Department of Environmental Quality, (3) approval from the Legislature, and (4) approval from the Governor. See Utah Code Ann. 19−3−105. Existing law also imposes similar restrictions−− including a requirement for legislative and gubernatorial approval −− on persons seeking to operate a nonhazardous solid or hazardous waste operation facility. See Utah Code Ann. 19−6−108. By custom and practice, legislative and gubernatorial approval of such facilities has typically been given through concurrent resolutions. See, e.g., S.C.R. 2 (General Session 2005) (approving a nonhazardous solid waste facility).

If signed into law, S.B. 70 would require that legislative approval of such facilities "be provided" not by resolution, but "by statute." S.B. 70 at 3 ln. 78, 7 ln. 181 (General Session 2006). The bill would also provide that gubernatorial approval would either (a) be deemed "provided" if the Governor "d[id] not veto the statute providing legislative approval," or (b) become unnecessary if the

Legislature chose to override such a veto with the concurrence of two−thirds of the members of each house. Id. at 3 ln. 79−84, 7 ln. 182−87.

By enabling the Legislature to override the Governor's refusal to approve a radioactive, solid nonhazardous, or hazardous waste facility, this bill would incrementally weaken the Governor's authority to protect Utah's image and environment, as well as the health and safety of its 2.5 million residents. I find that unacceptable.

Moreover, I have repeatedly pledged to resist efforts to turn Utah into our nation's radioactive waste dumping ground. Consistent with that pledge, I cannot consent to a provision that, in my opinion, would potentially lead to the proliferation of radioactive waste disposal facilities within our State.

Jon M. Huntsman, Jr.
Governor

CONCURRENCE CALENDAR

On motion of Senator Hellewell, the Senate voted to concur in the House amendments to **1st Sub. S.B. 68**, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS. Senator Mansell commented. The bill, as amended, passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Evans	Hickman

1st Sub. S.B. 68 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, the Senate voted to concur in the House amendments to **S.B. 168**, COMMUNITY ASSOCIATION ACT AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hickman

S.B. 168 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Davis, the Senate voted to concur in the House amendments to **S.B. 240**, TEMPORARY MEDICAID CERTIFICATION OF NURSING HOME BEDS. Senator Davis declared a conflict of interest. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hickman

S.B. 240 was returned to the House for the signature of the Speaker.

THIRD READING CALENDAR

H.B. 296, GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT, was read the third time, explained by Senator Peterson, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hickman

H.B. 296 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 76, HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES, was read the third time and explained by Senator Jenkins. Senators Davis, Stephenson, and Evans commented and the bill passed on the following roll call:

Yeas, 19; Nays, 9; Absent, 1.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Eastman
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Mayne
McCoy			

Absent or not voting was: Senator

Bramble

H.B. 76 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Hillyard, the Senate voted to lift **S.B. 5**, AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET, from Rules and placed it at the top of the Second Reading Calendar.

S.B. 5, AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator Knudson, the circle was removed from **S.C.R. 5**, RESOLUTION OPPOSING TRANSPORT AND STORAGE OF SPENT NUCLEAR FUEL, and it was before the Senate. This bill did not have a Senate standing committee hearing. Senator Knudson explained the bill.

On motion of Senator Knudson, under suspension of the rules, **S.C.R. 5**, RESOLUTION OPPOSING TRANSPORT AND STORAGE OF SPENT NUCLEAR FUEL, was considered read the second and third times. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Bramble	Hillyard	Thomas

S.C.R. 5 was transmitted to the House.

* * *

On motion of Senator Knudson, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 72, WORKERS' COMPENSATION FOR THE STATE, was read the third time and explained by Senator Hatch.

Senator Mansell proposed the following amendment:

1. Page 3, Lines 65 through 71

65 from the board, including the executive director of the Department of Administrative Services

66 or the executive director's designee if {~~no~~} the state {~~entity~~} is no longer insured by the Workers' Compensation

67 Fund pursuant to Section 34A−2−203.

68 (b) (i) If {~~no~~} the state {~~entity~~} is no longer insured by the Workers' Compensation Fund pursuant to

69 Section 34A−2−203, the governor with the consent of the Senate, shall appoint a public director

70 to replace the executive director of the Department of Administrative Services or the executive

71 director's designee.

Senator Mansell's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Hale	Hickman	Walker

1st Sub. H.B. 72, as amended, was returned to the House for further consideration.

* * *

H.B. 260, STATE OFFICE OF REHABILITATION − BUDGET RECOMMENDATIONS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Absent or not voting were: Senators

Bramble	Hale	Hickman	Walker

H.B. 260 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, the Senate voted to move the following bills to the top of the Second Reading Calendar: **H.B. 371, H.B. 372,** and **H.B. 436.**

* * *

On motion of Senator Waddoups, the Senate voted to lift the following bills from the Third Reading Table and place them on the Third Reading Calendar: **H.B. 31, H.B. 55, H.B. 142, 1st Sub. H.B. 85,** and **H.B. 285.**

* * *

On motion of Senator Waddoups, the Senate voted to lift the following bills from Rules and place them at the top of the Second Reading Calendar: **H.B. 1, H.B. 114, 1st Sub. H.B. 115, 2nd Sub. H.B. 124, H.B. 170, 1st Sub. H.B. 181, H.B. 276, H.B. 288, H.B. 339, 1st Sub. H.B. 407, H.J.R. 23, H.B. 346,** and **H.B. 333.**

* * *

H.B. 31, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, was read the third time.

On motion of Senator Knudson, the bill was circled.

* * *

2nd Sub. H.B. 55, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, was read the third time, explained by Senator Dmitrich,

On motion of Senator Dmitrich, the following substitute bill replaced the original bill:

3rd Sub. H.B. 55 Property Tax − Circuit Breaker Qualifying Limits (W. Harper)

The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Hale	Madsen	Stephenson
Walker			

3rd Sub. H.B. 55, as substituted, was returned to the House for further consideration.

* * *

H.B. 142, CENTER FOR MULTICULTURAL HEALTH − DUTIES, was read the third time and explained by Senator Hillyard.

Senator Hillyard proposed the following amendment:

1. Page 1, Line 17a:
   Lilac
   Delete "$100,000" and insert "$50,000"

2. Page 2, Line 56:
   Delete "$100,000" and insert "$50,000"

Senator Hillyard's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Mansell	Mayne	McCoy
Peterson	Thomas	Waddoups	Valentine

Absent or not voting were: Senators

Bramble	Hale	Madsen	Stephenson
Walker			

H.B. 142, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hillyard, the Senate voted to lift **1st Sub. H.B. 65** from the Third Reading Table and place it at the bottom of the Third Reading Calendar.

* * *

On motion of Senator Knudson, the circle was removed from **H.B. 31**, PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Davis	Hale	Hatch
Madsen			

H.B. 31 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 85, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT, was read the third time and explained by Senator Peterson.

On motion of Senator Arent, the bill was circled.

* * *

H.B. 285, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, was read the third time and explained by Senator Hale. Senators Waddoups and Hickman commented and the bill passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hillyard	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Walker	

Voting in the negative were: Senators

Hatch	Hickman	Waddoups

Absent or not voting were: Senators

Buttars	Jenkins	Valentine

H.B. 285 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 65, CONSUMER PROTECTION AGENCY, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Knudson	Mayne
McCoy	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Bramble	Hickman	Jenkins	Madsen
Mansell	Peterson	Stephenson	

Absent or not voting were: Senators

Killpack	Valentine

1st Sub. H.B. 65 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the Senate voted to lift **H.B. 228** from the Third Reading Table and place it at the bottom of the Third Reading Calendar.

* * *

H.B. 228, GROUNDWATER MANAGEMENT PLAN, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker		

Absent or not voting were: Senators

Evans	Killpack	Valentine

H.B. 228, as amended, was returned to the House for further consideration.

SECOND READING CALENDAR

On motion of Senator Hillyard, the circle was removed from **S.B. 244**, BUSINESS RESOURCE CENTERS, and it was before the Senate. This bill did not have a Senate standing committee hearing.

Senator Knudson proposed the following amendment:

1. Page 1, Lines 22 through 24

22 This bill appropriates:

23 ” as an ongoing appropriation subject to future budget constraints, {~~$875,000~~} $500,000 from the

24 General Fund for fiscal year 2006−07 to the Governor’s Office of Economic

2. Page 4, Lines 111 through 113:

111 As on ongoing appropriation subject to future budget constraints, there is appropriated

112 from the General Fund for fiscal year 2006−07, {~~$875,000~~} $500,000 to the Governor’s Office of Economic

113 Development to fund the business resource centers authorized in Section 63−38f−2104.

Senator Knudson’s motion to amend passed on a voice vote.

On motion of Senator Knudson, under suspension of the rules, **S.B. 244**, BUSINESS RESOURCE CENTERS, was considered read the second and third times. Senator Knudson explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Bell	Dmitrich	Evans	Killpack
Valentine			

S.B. 244, as amended, was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, **H.B. 1**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, was

considered read the second and third times. This bill did not have a Senate standing committee hearing. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker

Absent or not voting were: Senators

Bell	Bramble	Hickman	Killpack
Valentine			

H.B. 1 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 114, MINIMUM ENFORCEMENT OF FOOD SANITATION RULES, was read the second time. This bill did not have a Senate standing committee hearing.

On motion of Senator Hillyard, the bill was circled.

* * *

1st Sub. H.B. 115, SALARY OF THE LIEUTENANT GOVERNOR , was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

2nd Sub. H.B. 124, PARENT−TIME AMENDMENTS, was considered read the second and third times. This bill did not have a Senate standing committee hearing. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker			

Absent or not voting were: Senators

Bell	Bramble	Killpack	Valentine

2nd Sub. H.B. 124 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Peterson, the Senate voted to move to Third Reading Calendar.

THIRD READING CALENDAR

On motion of Senator Peterson, the circle was removed from **1st Sub. H.B. 85**, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT.

Senator Arent proposed the following amendment:

1. Page 5, Lines 147 through 149a
   Senate 2nd Reading Amendments
   2−27−2006

147 (2) In addition to the other requirements of this part, Ŝ➔ a physician may not perform ←Ŝ

147a an abortion Ŝ➔ [~~may not be performed~~] ←Ŝ

148 on a minor unless:

149 (a) the Ŝ➔ [~~minor~~] physician ←Ŝ obtains the informed written consent of a parent or

149a guardian of the minor , consistent with Section 76−7−305 ;

Senator Arent's motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following amendment:

1. Page 2, Lines 42 through 44
House Floor Amendments
1−27−2006

42 engaging in incest with the Ĥ→ [~~woman~~] minor ←Ĥ ; {~~or~~}

43 • the parent or guardian has not assumed responsibility for the minor's care and

44 upbringing; or

• the minor obtains the right, by court order, to consent to an abortion without consent from a parent or guardian and the court makes a finding that notification of a parent or guardian of the minor poses a risk of abuse to the minor;

2. Page 4, Line 115 through Page 5, Line 134:

115 (3) Subject to Subsection (4), at least 24 hours before a physician performs an abortion

116 on a minor, the physician shall notify a parent or guardian of the minor that the minor intends

117 to have an abortion.

118 (4) A physician is not required to comply with Subsection (3) if:

119 (a) subject to Subsection (5)(a):

120 (i) a medical condition exists that, on the basis of the physician's good faith clinical

121 judgment, so complicates the medical condition of a pregnant minor as to necessitate the

122 abortion of her pregnancy to avert:

123 (A) the minor's death; or

124 (B) a serious risk of substantial and irreversible impairment of a major bodily function

125 of the minor; and

126 (ii) there is not sufficient time to give the notice required under Subsection (3) before it

127 is necessary to terminate the minor's pregnancy in order to avert the minor's death or

128 impairment described in Subsection (4)(a)(i);

129 (b) subject to Subsection (5)(b):

130 (i) Ĥ→ the physician complies with Subsection (6); and

130a (ii) (A) ←Ĥ the minor is pregnant as a result of incest to which the parent or guardian was a

131 party; or

132 Ĥ→ [~~(ii)~~] (B) ←Ĥ the parent or guardian has abused the minor; {~~or~~ }

133 (c) subject to Subsection (5)(b), the parent or guardian has not assumed responsibility

134 for the minor's care and upbringing {~~.~~ } ; or

(d) a court:

(i) enters an order under Subsection 76−7−304.5(5)(b); and

(ii) makes a finding that notification of a parent or guardian of the minor poses a risk of abuse to the minor.

Senator McCoy's motion to amend failed on the following roll call:

Yeas, 6; Nays, 19; Absent, 4.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Mayne	McCoy		

Voting in the negative were: Senators

Bell	Bramble	Buttars	Christensen
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Eastman	Goodfellow	Hale	Stephenson

Senator Mayne commented. The bill passed on the following roll call:

Yeas, 28; Nays, 1; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman

Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative was: Senator
McCoy

1st Sub. H.B. 85, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hickman, the Senate voted to move to Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Hickman, the circle was removed from **H.B. 114**, MINIMUM ENFORCEMENT OF FOOD SANITATION RULES, and it was before the Senate. Senator Hickman explained the bill.

On motion of Senator Hickman, under suspension of the rules, **H.B. 114**, MINIMUM ENFORCEMENT OF FOOD SANITATION RULES, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

H.B. 114 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Mansell, the Senate voted to suspend the rules for the remainder of the day so that all bills will be read for the second and third time.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **S.B. 167**, JUVENILE OFFENSES − DIVERSION AMENDMENT, by Senator P. Arent, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 178**, STATE EXECUTIVE COMPENSATION − DEPARTMENT OF HEALTH, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 267**, CHANGES TO LOCAL GOVERNMENT PROVISIONS, by Senator L. A. Mansell, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 167, S.B. 178, and **1st Sub. S.B. 267** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: February 28, 2006

The House adopted the Joint Conference Committee Report dated February 28, 2006, and passed **1st Sub. H.B. 160**, CONSTRUCTION STANDARD AMENDMENTS, by Representative M. Morley, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 160, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House substituted and passed, **2nd Sub. S.B. 92**, CERTIFICATION OF CRANE OPERATORS, by Senator G. Davis, et al, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **1st Sub. S.B. 155**, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, by Senator G. Bell, and it is transmitted for further consideration; and

The House passed, as amended, **S.J.R. 9**, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS, by Senator P. Hellewell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

* * *

Mr. President: March 1, 2006

The House passed, as substituted, **1st Sub. H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, by Representative R. Bigelow, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **1st Sub. H.B. 4** was read the first time and referred to the Rules Committee.

* * *

On motion of Senator Knudson, and at 10:30 a.m., the Senate sauntered.

The Senate was called to order at 11:00 a.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The Speaker of the House has signed **1st Sub. S.B. 68**, PLUMBING LICENSE QUALIFICATIONS AMENDMENTS, by Senator P. Hellewell, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 168**, COMMUNITY ASSOCIATION ACT AMENDMENTS, by Senator M. Waddoups, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 240**, TEMPORARY MEDICAID CERTIFICATION OF NURSING HOME BEDS, by Senator G. Davis, and it is transmitted for the signature of the President; and

The House passed, **S.B. 249**, COUNTY GOVERNMENT AMENDMENTS, by Senator D. Peterson, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 68, S.B. 168, S.B. 240, and **S.B. 249** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator Bramble, the circle was removed from **1st Sub. H.B. 115**, SALARY OF THE LIEUTENANT GOVERNOR , and it was before the Senate. Senator Bramble explained the bill.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. H.B. 115**, SALARY OF THE LIEUTENANT GOVERNOR , was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Valentine		

Voting in the negative were: Senators

Hillyard	Waddoups

Absent or not voting were: Senators

Buttars	Goodfellow	Hale	Hatch
Walker			

1st Sub. H.B. 115 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 170, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, was read the second time. Senator Hillyard explained the bill.

On motion of Senator Hillyard, the following substitute bill replaced the original bill:

1st Sub. H.B. 170 Prosecution and Prevention of Child Pornography Offenses (R. Bigelow)

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Evans	Fife
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Jenkins	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Waddoups	Valentine	

Absent or not voting were: Senators

Buttars	Eastman	Hatch	Killpack
Thomas	Walker		

1st Sub. H.B. 170, as amended, was returned to the House for further consideration.

* * *

1st Sub. H.B. 181, EDUCATION REFORM, was read the second time. Senator Stephenson explained the bill. This bill did not have a Senate standing committee hearing.

Senator Evans made a motion to delete **1st Sub. H.B. 181** and replace it with **3rd Sub. H.B. 181**. Senators Bramble, Hale, Dmitrich, Arent, and Peterson commented. The motion failed on a voice vote.

Senators Hillyard, Bell, Goodfellow, Arent, McCoy, Evans, Hale, and Fife commented.

Senator Hillyard proposed the following amendment:

1. Page 2, Line 47:
   Delete “$12,500,000” and insert “<u>$7,500,000</u>”

2. Page , Line 279:
   Delete “$12,500,000” and insert “<u>$7,500,000</u>”

Senator Hillyard's motion to amend passed on a voice vote.

On motion of Senator Stephenson, under suspension of the rules, **1st Sub. H.B. 181**, EDUCATION REFORM, was considered read the second and third times and passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Bell	Davis	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Mayne	McCoy	

Absent or not voting was: Senator
Mansell

1st Sub. H.B. 181, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Walker, the Senate voted to recall **3rd Sub. S.B. 71,** CONSUMER CREDIT PROTECTION**,** from staff for the purpose of concurring with the House amendments.

The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Absent or not voting were: Senators

Bramble	Buttars	Evans	Madsen
Mansell	Valentine		

3rd Sub. S.B. 71 was referred to the House for signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 5**, AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET, and it was before the Senate. Senator Stephenson explained the bill.

Senator Hale proposed the following amendment:

1. Page 1, Lines 13 through 14

13 ► creates a cap on the number of charter schools that the State Charter School Board

14 may authorize;

► modifies provisions governing the inclusion of foreign exchanges students for the purpose of apportioning state monies;

2. Page 2, Lines 36 through 37:

36 AMENDS:

37 53A−1a−515, as last amended by Chapter 291, Laws of Utah 2005

53A−2−206, as last amended by Chapter 257, Laws of Utah 2004

3. Page 4, Lines 103 through 104:

103 (9) The governing body of a local school board−authorized charter school shall be

104 independent of the local school board except as otherwise specifically provided in this chapter.

Section 3. Section 53A−2−206 is amended to read:

53A−2−206. Exchange and interstate compact students −− Inclusion in attendance count −− Annual report −− Requirements for exchange student agencies.

(1) A school district or charter school may include the following students in the district's or school's membership and attendance count for the purpose of apportionment of state monies:

(a) a foreign exchange student sponsored by an agency approved by the district's local school board or charter school's governing board, subject to the limitation of Subsection (2);

(b) a student enrolled under an interstate compact, established between the State Board of Education and the state education authority of another state, under which a student from one compact state would be permitted to enroll in a public school in the other compact state on the same basis as a resident student of the receiving state; or

(c) a student receiving services under the Compact on Placement of Children.

(2) (a) {~~The~~} Through June 30, 2007, number of foreign exchange students that may be counted for the purpose of apportioning state monies shall be the lesser of:

{~~(a)~~} (i) the number of foreign exchange students:

{~~(i)~~} (A) enrolled in the school district or charter school; and

{~~(ii)~~} (B) sponsored by an exchange student agency approved by the district's local school board or charter school's governing board; or

{~~(b)~~} (ii) the number of students that have withdrawn from the school district or charter school to participate in a foreign exchange program in a foreign country.

(b) (i) Beginning July 1, 2007, the total number of foreign exchange students in the state that may be counted for the purpose of apportioning state monies shall be the lesser of:

(A) the number of foreign exchange students enrolled in public schools in the state on October 1 of the previous fiscal year; or

(B) 328 foreign exchange students.

(ii) The State Board of Education shall make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to administer the cap on the number of foreign **exchange students that** may be counted for the purpose of apportioning state monies.

(3) A school district or charter school may:

(a) enroll foreign exchange students that do not qualify for state monies; and

(b) pay for the costs of those students with other funds available to the school district or charter school.

(4) Due to the benefits to all students of having the opportunity to become familiar with individuals from diverse backgrounds and cultures, school districts are encouraged to enroll foreign exchange

students, as provided in Subsection (3), particularly in schools with declining or stable enrollments where the incremental cost of enrolling the foreign exchange student may be minimal.

(5) The board shall make an annual report to the Legislature on the number of exchange students and the number of interstate compact students sent to or received from public schools outside the state.

(6) (a) A local school board or charter school governing board shall require each approved exchange student agency to provide it with a sworn affidavit of compliance prior to the beginning of each school year.

(b) The affidavit shall include the following assurances:

(i) that the agency has complied with all applicable policies of the board;

(ii) that a household study, including a background check of all adult residents, has been made of each household where an exchange student is to reside, and that the study was of sufficient scope to provide reasonable assurance that the exchange student will receive proper care and supervision in a safe environment;

(iii) that host parents have received training appropriate to their positions, including information about enhanced criminal penalties under Subsection 76−5−406(10) for persons who are in a position of special trust;

(iv) that a representative of the exchange student agency shall visit each student's place of residence at least once each month during the student's stay in Utah;

(v) that the agency will cooperate with school and other public authorities to ensure that no exchange student becomes an unreasonable burden upon the public schools or other public agencies;

(vi) that each exchange student will be given in the exchange student's native language names and telephone numbers of agency representatives and others who could be called at any time if a serious problem occurs; and

(vii) that alternate placements are readily available so that no student is required to remain in a household if conditions appear to exist which unreasonably endanger the student's welfare.

(7) (a) A local school board or charter school governing board shall provide each approved exchange student agency with a list of names and telephone numbers of individuals not associated with the agency who could be called by an exchange student in the event of a serious problem.

(b) The agency shall make a copy of the list available to each of its exchange students in the exchange student's native language.

Senator Hale's motion to amend passed on a voice vote.

# # #

Senator Stephenson proposed the following amendment:

1. Page 1, Lines 13 through 14

13 ▶ creates a cap on the number of charter schools that the State Charter School Board

14 may authorize to begin operations in the 2007−08 school year ;

2. Page 2, Lines 48 through 50:

48 The State Charter School Board may { ~~authorize, beginning July 1, 2006, and until July 1,~~

49 ~~2007, an additional five charter schools, provided that the additional charter schools have a~~

50 ~~combined student capacity that does not exceed 5,000 students~~ } only authorize:
(1) a maximum of five charter schools that will begin operation in the 2007−08 school year; and
(2) a combined maximum student capacity of 5,000 students for the charter schools authorized in accordance with Subsection (1) .

Senator Stephenson's motion to amend passed on a voice vote.

# # #

Senator Hillyard proposed the following amendment:

1. Page 1, Lines 20 through 25

20 ▶ makes one−time appropriations for fiscal year 2006−07 for:

21 • pupil transportation;

22 • library books and supplies;

23 • the Enrollment Growth Program;

24 • charter schools; {~~and~~}

25 • classroom supplies ;

• a charter school study.

2. Page 2, Lines 28 through 30:

28 ▶ as an ongoing appropriation, $2,011,119,545 from the Uniform School Fund for

29 fiscal year 2006−07; {~~and~~}

▶ for fiscal year 2006−07 only, $150,000 from the General Fund; and

30 ▶ for fiscal year 2006−07 only, $31,100,000 from the Uniform School Fund.

3. Page 10, Line 282:

282 instructional and counseling services to students in public schools.

Section 12. One−time appropriation for charter school study.

(1)(a) There is appropriated $150,000 from the General Fund for fiscal year 2006−07 only to the Office of Legislative Research and General Counsel for a charter school study under the direction and approval of the Executive Appropriations Committee.

(b) As directed and approved by the Executive Appropriations Committee, the Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst shall jointly conduct the study.

(c) In conducting the study, the Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst shall consult with the Office of the Legislative Auditor General, State Board of Education, State Charter School Board, charter schools, and school districts.

(2) The study shall:

(a) evaluate the services provided to charter schools by the divisions within the Utah State Office of Education and by the school districts where charter schools are located;

(b) identify tasks required of the State Charter School Board to assume its statutory obligations;

(d) identify long−term administrative needs of the state and school districts required to sustain charter schools;

(e) evaluate the financial condition of the state's charter schools;

(f) examine funding equity between charter schools and district

schools;

(g) compare the use of a local tax replacement formula to a local revenue sharing mechanism;

(h) determine school level administrative costs;

(i) identify the financial needs of and sources of funding for charter schools as they begin operations;

(j) evaluate a school district's role and responsibility in funding a student attending a charter school;

(k) examine the current process used to assess a charter school's financial plan and long−term sustainability;

(l) (i) identify requirements for granting charters to schools that primarily serve special needs students; and

(ii) examine the financial feasibility of operating a charter school that primarily serves special needs students;

(l) identify needs of charter schools relating to securing and maintaining adequate facilities to support the operations of a school;

(m) evaluate a school district's role and responsibility in providing for the capital facility needs of students attending a charter school;

(n) examine processes governing charter school facility leases and procurement contracts for school construction;

(o) summarize the experience of other states relating to growth and oversight of charter schools;

(p) evaluate how charter school and student growth affects the public education system as a whole; and

(q) make recommendations on how to accommodate growth in the number of charter schools and students attending charter schools, in terms of administration and funding.

(3) The Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst shall coordinate with the Department of Administrative Services to address the liability of the state in regards to charter school facilities and leases.

(4) The Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst shall report the findings of the study to the Executive Appropriations Committee prior to October 31, 2006.

4. Page 10, Line 283:

283 Section {~~12~~} **13** . Effective date.

5. Page 10, Line 285:

285 Section {~~13~~} **14** . Coordinating S.B. 5 with S.B. 3 −− Superseding amendments.

Senator Hillyard's motion to amend passed on a voice vote.

On motion of Senator Stephenson, under suspension of the rules, **S.B. 5**, AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET, was considered read the second and third times. Senator Killpack declared a conflict of interest. The bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Hale	Mayne	McCoy

Absent or not voting was: Senator
Mansell

S.B. 5, as amended, was transmitted to the House.

* * *

On motion of Senator Waddoups, the circle was removed from **H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS AND LOCAL TAXES, and it was before the Senate.

On motion of Senator Waddoups, the following substitute bill replaced the original bill:

3rd Sub. H.B. 109 Sales and Use Tax − Food and Food Ingredients and Local Taxes (M. Newbold)

On motion of Senator Waddoups, the bill was circled.

INTRODUCTION OF BILLS

S.B. 2, **Executive Compensation Amendments** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.J.R. 10, **Master Study Resolution** (P. Knudson), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Hillyard, the Senate voted to lift **S.B. 2** from Rules and place it at the top of the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **S.B. 135**, INHERENT RISK OF SKIING AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 135 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson, and at 12:15 p.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **1st Sub. S.B. 57**, TELEHEALTH FOR RURAL UTAH, by Senator B. Evans, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 71**, CONSUMER CREDIT PROTECTION, by Senator C. Walker, and it is transmitted for the signature of the President; and

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 57 and **3rd Sub. S.B. 71** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The House passed, as amended, **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, by Senator S. Killpack, et al, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: March 1, 2006

The House has rejected **2nd Sub. S.B. 48**, SCHOOL NURSES LEGISLATIVE STUDY, by Senator E. Mayne, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

CONCURRENCE CALENDAR

2nd Sub. S.B. 92, CERTIFICATION OF CRANE OPERATORS, was before the Senate.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Bell, the Senate voted to concur in the House amendments to **1st Sub. S.B. 155**, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS. The bill, as amended, passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	McCoy	Peterson
Thomas	Valentine		

Absent or not voting were: Senators

Davis	Dmitrich	Killpack	Mayne
Stephenson	Waddoups	Walker	

1st Sub. S.B. 155 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hellewell, the Senate voted to concur in the House amendments to **S.J.R. 9**, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS. Senator McCoy commented. The bill, as amended, passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Mansell	McCoy	Peterson
Stephenson	Thomas	Valentine	

Absent or not voting were: Senators

Dmitrich	Hillyard	Madsen	Mayne
Waddoups	Walker		

S.J.R. 9 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Davis, the circle was removed from **2nd Sub. S.B. 92**, CERTIFICATION OF CRANE OPERATORS, and it was before the Senate.

On motion of Senator Davis, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 92**, CERTIFICATION OF CRANE OPERATORS. The bill, as amended, passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	McCoy
Peterson	Thomas	Walker	Valentine

Voting in the negative were: Senators
Buttars Stephenson

Absent or not voting were: Senators
Madsen Mayne Waddoups

2nd Sub. S.B. 92 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, the Senate voted to concur in the House amendments to **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES. The bill, as amended, passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators
Arent Bell Bramble Buttars
Christensen Dmitrich Eastman Evans
Fife Hale Hatch Hellewell
Knudson Madsen Mansell Peterson
Stephenson Walker Valentine

Voting in the negative were: Senators
Davis Goodfellow Jenkins McCoy
Thomas

Absent or not voting were: Senators
Hickman Hillyard Killpack Mayne
Waddoups

S.B. 80 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

S.B. 2, EXECUTIVE COMPENSATION AMENDMENTS, was read the second time.

On motion of Senator Bell, the bill was circled.

* * *

On motion of Senator Jenkins, under suspension of the rules, **H.B. 276**, MEDICAID COVERED AT WORK PREMIUM SUBSIDY, was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hatch	Hellewell	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Evans	Hale	Hickman
Hillyard	Peterson	Stephenson	

H.B. 276 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, the Senate voted to lift **S.J.R. 10** from Rules and place it on the top of the Second Reading Calendar.

S.J.R. 10, MASTER STUDY RESOLUTION, was read the second time.

On motion of Senator Knudson, the bill was circled.

* * *

On motion of Senator Hillyard, under suspension of the rules, **H.B. 288**, HEALTH CARE AMENDMENTS FOR FOSTER CHILDREN, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Hale	Hickman	Knudson

H.B. 288 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **S.B. 2**, EXECUTIVE COMPENSATION AMENDMENTS, and it was before the Senate.

On motion of Senator Hillyard, under suspension of the rules, **S.B. 2**, EXECUTIVE COMPENSATION AMENDMENTS, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hale	Knudson

S.B. 2 was transmitted to the House.

* * *

On motion of Senator Buttars, under suspension of the rules, **H.B. 339**, COMMISSION ON CIVIC AND CHARACTER EDUCATION, was considered read the second and third times.

Senator Buttars proposed the following amendment:

1. Page 1, Line 23:
   Delete “$85,000” and insert “<u>$50,000</u>”

2. Page 3, Line 89
   Delete “$85,000” and insert “<u>$50,000</u>”

Senator Buttars’ motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Christensen	Hale	Knudson

H.B. 339, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 407**, COUNSELING FOR FAMILIES OF VETERANS, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 407 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Walker, under suspension of the rules, **H.J.R. 23**, RESOLUTION SUPPORTING WORKING FAMILIES ECONOMIC DEVELOPMENT INITIATIVE, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.J.R. 23 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, under suspension of the rules, **H.B. 346**, STATE EMPLOYEE RETIREMENT BENEFITS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

H.B. 346 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 333**, ANTITRUST EXEMPTION, was considered read the second and third times. Senator Thomas commented and declared a conflict of interest. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Valentine

Absent or not voting was: Senator
Walker

1st Sub. H.B. 333 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 371, TRANSIENT ROOM TAXES AMENDMENTS, was read the second time. Senator Bramble explained the bill. Senator Thomas made a motion to substitute the bill. The motion failed on a voice vote.

Senator Jenkins made a motion to substitute the bill. The motion failed on a voice vote.

Senator Stephenson made a motion to substitute the bill. The motion failed on a voice vote.

On motion of Senator Bramble, under suspension of the rules, **H.B. 371**, TRANSIENT ROOM TAXES AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 21; Nays, 6; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Killpack	Knudson
Mansell	Mayne	McCoy	Waddoups
Valentine			

Voting in the negative were: Senators

Hillyard	Jenkins	Madsen	Peterson
Stephenson	Thomas		

Absent or not voting were: Senators
Evans Walker

H.B. 371 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, under suspension of the rules, **H.B. 372**, EXPENDITURE OF LOCAL OPTION TRANSPORTATION TAX REVENUE, was considered read the second and third times.

Senator Dmitrich proposed the following amendment:

1. Page 1, Line 17a and 17b:
House Committee Amendments
2−20−2006
Delete lines 17a and 17b

2. Page 3, Line 69a and 69b:
House Committee Amendments
2−20−2006
Delete lines 69a and 69b

Senator Dmitrich's motion to amend passed on a voice vote. Senator Fife commented. The bill passed on the following roll call:

Yeas, 24; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Thomas	Walker	Valentine

Voting in the negative were: Senators

Hillyard	Jenkins	Stephenson	Waddoups

Absent or not voting was: Senator
Bramble

H.B. 372, as amended, was returned to the House for further consideration

* * *

On motion of Senator Mansell, under suspension of the rules, **H.B. 436**, LEGISLATIVE DISTRICT CHANGES TO ACCOMMODATE COUNTY BOUNDARY CHANGE, was considered read the second and third times. Senator Arent commented and the bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Hatch

H.B. 436 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House substituted and passed, **1st Sub. S.B. 58**, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, by Senator P. Knudson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: March 1, 2006

The House passed, **S.B. 159**, DISTRICT COURT JUDGE, by Senator M. Madsen, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 187**, SCIENCE AND TECHNOLOGY EDUCATION PROGRAM, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 209**, WASTE FEE AMENDMENTS, by Senator D. Eastman, et al, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 226**, REGISTRATION AND TITLE PROVISIONS, by Senator D. Eastman, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 241**, NATURAL RESOURCES DEVELOPMENT, by Senator M. Dmitrich, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 159, S.B. 187, S.B. 209, S.B. 226, and **1st Sub. S.B. 241** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

SECOND READING CALENDAR

On motion of Senator Goodfellow, under suspension of the rules, **H.B. 117**, GRAMA RECORDS COMMITTEE APPEAL, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Dmitrich	Eastman	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Davis	Evans	Waddoups

H.B. 117 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Buttars, under suspension of the rules, **H.B. 248**, EXECUTIVE AND LEGISLATIVE COORDINATION ACT, was considered

read the second and third times. Senator Hatch commented and the bill failed on the following roll call:

Yeas, 5; Nays, 21; Absent, 3.

Voting in the affirmative were: Senators

Arent	Buttars	Hale	Jenkins
Mayne			

Voting in the negative were: Senators

Bell	Christensen	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hellewell	Hickman	Hillyard	Killpack
Knudson	Madsen	Mansell	McCoy
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Bramble	Davis	Waddoups

H.B. 248 was returned to the House for filing.

* * *

On motion of Senator Killpack, under suspension of the rules, **H.B. 137**, MEDICATION AIDE CERTIFIED, was considered read the second and third times. Senator McCoy commented and the bill passed on the following roll call:

Yeas, 22; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Eastman	Evans	Fife	Goodfellow
Hatch	Hellewell	Hickman	Hillyard
Killpack	Knudson	Madsen	Mansell
Mayne	Peterson	Stephenson	Thomas
Waddoups	Valentine		

Voting in the negative were: Senators

Arent	Hale	Jenkins	McCoy

Absent or not voting were: Senators

Bramble	Dmitrich	Walker

H.B. 137 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, under suspension of the rules, **H.B. 322**, COSTS FOR DIVORCE, was considered read the second and third times. Senator McCoy commented and the bill passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Valentine			

Voting in the negative were: Senators

Arent	Hillyard

Absent or not voting were: Senators

Bramble	Walker

H.B. 322 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Senator Waddoups moved to sift the board. Under **H.B. 129**, the bills on the Second Reading Calendar will be in the following order: **H.B. 365, H.B. 430, 1st Sub. H.B. 151, H.B. 311, H.B. 167, H.B. 130, 3rd Sub. H.B. 133, H.B. 413, H.B. 110, 1st Sub. H.B. 394, H.B. 192, H.B. 95, H.B. 350, H.B. 363, H.B. 223, H.B. 304, H.B. 123, H.B. 140, H.B. 145, H.B. 150, 2nd Sub. H.B. 403, 2nd Sub. H.B. 172, H.B. 198, H.B. 327, H.B. 351, H.B. 414, 1st Sub. H.B. 417, 1st Sub. H.B. 100, 1st Sub. H.B. 458, 1st Sub. H.B. 148, 4th Sub. H.B. 90, 1st Sub. H.B. 139,** and **H.B. 328.**

* * *

On motion of Senator Waddoups, the Senate voted to lift the following bills from Rules and place them on the Second Reading Calendar under **H.B. 328**:

1st Sub. H.B. 215, H.B. 193, 1st Sub. H.B. 457, H.J.R. 30, and **H.B. 271.**

* * *

On motion of Senator Waddoups, the Senate voted to place **1st Sub. H.B. 77** between **H.B. 110,** and **H.B. 394**.

On motion of Senator Knudson, and at 4:05 p.m., the Senate sauntered.

The Senate was called to order at 4:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **S.B. 5**, AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 118**, DRIVING BY MINORS AMENDMENTS, by Senator K. Hale, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 129**, MOTOR VEHICLE REGISTRATION AMENDMENTS, by Senator S. Killpack, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 5, S.B. 118, and **1st Sub. S.B. 129** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The House passed, as amended, **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

SECOND READING CALENDAR

H.B. 129, PUBLIC HEALTH AMENDMENTS, was read the second time.

On motion of Senator Killpack, the bill was circled.

* * *

H.B. 365, AUTOMATED TELLER MACHINE FEES, was read the second time.

On motion of Senator Hickman, the bill was circled.

* * *

On motion of Senator Hickman, under suspension of the rules, **H.B. 430**, DEPARTMENT OF FINANCIAL INSTITUTIONS PAY PLAN, was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Dmitrich
Eastman	Evans	Fife	Goodfellow
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	McCoy	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Buttars	Davis	Mayne
Peterson	Stephenson	Waddoups	

H.B. 430 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, the circle was removed from **H.B. 129**, PUBLIC HEALTH AMENDMENTS, and it was before the Senate.

On motion of Senator Killpack, under suspension of the rules, **H.B. 129**, PUBLIC HEALTH AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Christensen	Davis
Dmitrich	Eastman	Evans	Fife

Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	McCoy	Peterson
Thomas	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Bramble	Buttars	Hillyard	Mayne
Stephenson			

H.B. 129 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups the Senate voted to lift **H.B. 95** and **H.B. 110** from Rules and place them on the Second Reading Calendar.

* * *

1st Sub. H.B. 151, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

On motion of Senator Waddoups, under suspension of the rules, **H.B. 311**, CULTURAL SITES PROTECTION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hale	Hatch	Hellewell
Hickman	Jenkins	Killpack	Madsen
Mansell	McCoy	Peterson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Hillyard	Knudson
Mayne	Stephenson		

H.B. 311 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 167, SCHOOL UNIFORMS, was read the second time.

On motion of Senator Eastman, the bill was circled.

* * *

On motion of Senator Walker, under suspension of the rules, **H.B. 130**, ADOPTION AMENDMENTS, was considered read the second and third times.

Senator Walker proposed the following amendment:

1. Page 9, Lines 245 through 272

245 { ~~(10) Notwithstanding the provisions of Subsections (4)~~
~~and (6), the consent of an~~

246 ~~unmarried biological father, with respect to an adoptee who is under~~
~~the age of 18, is required~~

247 ~~if:~~

248 ~~(a) (i) the unmarried biological father did not know, and through~~
~~the exercise of~~

249 ~~reasonable diligence could not have known, that the child or the~~
~~child's mother were present in~~

250 ~~the state of Utah at any time during the period of time beginning at~~
~~the conception of the child~~

251 ~~and ending at the time the mother executed a consent to adoption or~~
~~relinquishment of the child~~

252 ~~for adoption; and~~

253 ~~(ii) before the mother executed a consent to adoption or~~
~~relinquishment of the child for~~

254 ~~adoption, the unmarried biological father fully complied with the~~
~~requirements to establish~~

255 ~~parental rights in the child, and to preserve the right to notice of a~~
~~proceeding in connection~~

256 with the adoption of the child, imposed by:

257 (A) the last state where the unmarried biological father knew, or through the exercise

258 of reasonable diligence should have known, that the mother resided in before the mother came

259 to the state of Utah; or

260 (B) the state where the child was conceived; or

261 (b) (i) the unmarried biological father knew, or through the exercise of reasonable

262 diligence should have known, that the child or the child's mother were present in the state of

263 Utah at any time during the period of time beginning at the conception of the child and ending

264 at the time the mother executed a consent to adoption or relinquishment of the child for

265 adoption; and

266 (ii) the unmarried biological father complied with the requirements of Subsection (4)

267 or (6) before the later of:

268 (A) 20 days after the day that the unmarried biological father knew, Ĥ→ [and] or ←Ĥ

268a through the

269 exercise of reasonable diligence should have known, that the child or the child's mother were

270 present in the state of Utah; or

271 (B) the time that the mother executed a consent to adoption or relinquishment of the

272 child for adoption. }

(10) (a) For purposes of this Subsection (10), "qualifying circumstance" means that, at any point during the time period beginning at the conception of the child and ending at the time the mother executed a consent to adoption or relinquishment of the child for adoption:

(i) the child or the child's mother resided, on a permanent or temporary basis, in the state of Utah;

(ii) the mother intended to give birth to the child in the state of Utah;

(iii) the child was born in the state of Utah; or

(iv) the mother intended to execute a consent to adoption or relinquishment of the child for adoption:

(A) in the state of Utah; or

(B) under the laws of the state of Utah.

(b) Notwithstanding the provisions of Subsections (4) and (6), the consent of an unmarried biological father is required with respect to an adoptee who is under the age of 18 if:

(i) (A) the unmarried biological father did not know, and through the exercise of reasonable diligence could not have known, before the time the mother executed a consent to adoption or relinquishment of the child for adoption, that a qualifying circumstance existed; and

(B) before the mother executed a consent to adoption or relinquishment of the child for adoption, the unmarried biological father fully complied with the requirements to establish parental rights in the child, and to preserve the right to notice of a proceeding in connection with the adoption of the child, imposed by:

(I) the last state where the unmarried biological father knew, or through the exercise of reasonable diligence should have known, that the mother resided in before the mother executed the consent to adoption or relinquishment of the child for adoption; or

(II) the state where the child was conceived; or

(ii) (A) the unmarried biological father knew, or through the exercise of reasonable diligence should have known, before the time the mother executed a consent to adoption or relinquishment of the child for adoption, that a qualifying circumstance existed; and

(B) the unmarried biological father complied with the requirements of Subsection (4) or (6) before the later of:

(I) 20 days after the day that the unmarried biological father knew, or through the exercise of reasonable diligence should have known, that a qualifying circumstance existed; or

(II) the time that the mother executed a consent to adoption or relinquishment of the child for adoption.

Senator Walker's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Knudson	Madsen	Mansell	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Davis	Killpack	Mayne	Stephenson

H.B. 130, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Bramble, under suspension of the rules, **3rd Sub. H.B. 133**, COMMERCIAL TRANSACTIONS OF PERSONAL PROPERTY, was considered read the second and third times.

Senator Arent proposed the following amendment:

1. Page 4, Lines 103 through 104

103 (b) If an article is purchased by the pawnbroker, the pawnbroker may sell the article {~~at~~

104 ~~any time~~} after the pawnbroker has held the article for ten days and complied with the requirements of Section 13−32a−106

Senator Arent's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Knudson	Madsen	Mansell
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Killpack	Mayne

3rd Sub. H.B. 133, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Thomas, under suspension of the rules, **H.B. 413**, COMPARATIVE NEGLIGENCE AMENDMENTS, was considered read the second and third times. This bill did not have a Senate standing committee hearing. Senators Hillyard, Christensen, McCoy, Arent, and Valentine commented and the bill failed on the following roll call:

Yeas, 6; Nays, 22; Absent, 1.

Voting in the affirmative were: Senators

Bell	Fife	Hatch	Jenkins
Killpack	Thomas		

Voting in the negative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Goodfellow	Hale	Hellewell	Hickman
Hillyard	Knudson	Madsen	Mansell
McCoy	Peterson	Stephenson	Waddoups
Walker	Valentine		

Absent or not voting was: Senator
Mayne

H.B. 413 was returned to the House for filing.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **S.B. 245**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 245 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The House concurred in the Senate amendments and passed **1st Sub. H.B. 28**, ACCESS AND FEE AMENDMENTS TO GOVERNMENT RECORDS

ACCESS AND MANAGEMENT ACT, by Representative D. Aagard, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 55**, PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS, by Representative W. Harper, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 72**, WORKERS' COMPENSATION FOR THE STATE, by Representative G. Snow, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 132**, LOCAL LAND USE REQUIREMENTS, by Representative M. Morley, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 188**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, by Representative C. Frank, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 28, 3rd Sub. H.B. 55, 1st Sub. H.B. 72, 1st Sub. H.B. 132, and **1st Sub. H.B. 188** were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House substituted and passed, **3rd Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, by Senator C. Walker, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

On motion of Senator Waddoups, the following bills were lifted from Rules and placed at the bottom of the Second Reading Calendar:

H.B. 410, H.B. 423, H.B. 317, H.B. 298, H.B. 446, H.B. 303, H.B. 201, H.B. 330, H.B. 337, H.B. 432, H.B. 429, H.B. 253, 2nd Sub. H.B. 174, and **H.B. 401.**

* * *

On motion of Senator Knudson the Senate voted to lift **4th Sub. H.B. 90** to the top of the Second Reading Calendar.

On motion of Senator Knudson, and at 5:15 p.m., the Senate sauntered.

The Senate was called to order at 5:50 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House concurred in the Senate amendments and passed **1st Sub. H.B. 85**, ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT, by Representative K. Gibson, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 142**, CENTER FOR MULTICULTURAL HEALTH − DUTIES, by Representative R. Romero, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 181**, EDUCATION REFORM, by Representative S. Urquhart, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 228**, GROUNDWATER MANAGEMENT PLAN, by Representative D. Ure, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 339**, COMMISSION ON CIVIC AND CHARACTER EDUCATION, by Representative L. Christensen, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 372**, EXPENDITURE OF LOCAL OPTION TRANSPORTATION TAX REVENUE, by Representative B. Ferry, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. H.B. 85, H.B. 142, 1st Sub. H.B. 181, H.B. 228, H.B. 339, and **H.B. 372** were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House refused to concur with the Senate Amendments to **1st Sub. H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, by Representative R. Bigelow, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Hillyard, the Senate voted to refuse to recede from its amendments to **1st Sub. H.B. 170**. President Valentine appointed a conference committee consisting of Senators Hillyard, Bell, and Arent to meet with a like committee from the House.

* * *

On motion of Senator Knudson the Senate voted to include the objections of the Governor to **S.B. 70**, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS, in the Senate Journal. (See the first page of Day 45 journal)

On motion of Senator Knudson the Senate voted to override the veto to **S.B. 70.** The veto was overridden of the following roll call:

Yeas, 21; Nays, 8; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Evans	Goodfellow	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Hale	Hillyard	Mayne	McCoy

S.B. 70 was returned to the House.

SECOND READING CALENDAR

On motion of Senator Hale, under suspension of the rules, **4th Sub. H.B. 90**, CRIMINAL PENALTY AMENDMENTS, was considered read the second and third times. Senators Mansell and Waddoups commented and the bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

4th Sub. HB. 90 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, the circle was removed from **3rd Sub. H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS, and it was before the Senate. Senator Waddoups explained the bill. Senator Thomas commented.

On motion of Senator Waddoups, under suspension of the rules, **3rd Sub. H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hickman
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Christensen	Hatch	Hellewell	Hillyard
Peterson			

Absent or not voting were: Senators

Madsen	Stephenson

3rd Sub. H.B. 109 was returned to the House for further consideration.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, **1st Sub. S.B. 252**, CONSUMER CREDIT CODE AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 252 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The House passed, as amended, **2nd Sub. S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

On motion of Senator Hillyard the Senate voted to move **S.B. 4** to the top of the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Hillyard, the Senate refused to concur in the House amendments. **S.B. 4** was returned to the House.

On motion of Senator Knudson, and at 6:30 p.m. the Senate recessed.

EVENING SESSION

The Senate reassembled at 7:40 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House requests the return of **3rd Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, by Senator C. Walker, for correction.

Sandy D. Tenney, Chief Clerk

On motion of Senator Walker the Senate voted to return the bill to the House.

* * *

Mr. President: March 1, 2006

The Speaker of the House has signed **S.B. 80**, PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES, by Senator S. Killpack, et al, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 92**, CERTIFICATION OF CRANE OPERATORS, by Senator G. Davis, et al, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 155**, AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS, by Senator G. Bell, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.J.R. 9**, RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS, by Senator P. Hellewell, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 80, 2nd Sub. S.B. 92, 1st Sub. S.B 155, and **S.J.R. 9** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

CONCURRENCE CALENDAR

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **1st Sub. S,B, 58**, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH. The bill, as amended, passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Eastman
Evans	Fife	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Buttars	Davis	Dmitrich
Goodfellow	Hale	Hatch	Mansell
Mayne	McCoy		

1st Sub. S.B. 58 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS. The bill, as amended, passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Eastman	Evans	Fife	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Davis	Dmitrich	Goodfellow
Mansell	Mayne	McCoy	

2nd Sub. S.B. 196 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups the Senate voted to rearrange the following bills on the Second Reading Calendar:

Place above **H.B. 110: 1st Sub. H.B. 446, H.B. 139, H.B. 148,** and **H.B. 327.**

SECOND READING CALENDAR

On motion of Senator Walker, under suspension of the rules, **1st Sub. H.B. 446**, SURPLUS LANDS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Eastman	Evans	Fife	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	McCoy
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Davis	Dmitrich	Goodfellow
Hickman	Mansell	Mayne	Stephenson

1st Sub. H.B. 446 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, the circle was removed from **S.J.R. 10**, MASTER STUDY RESOLUTION, and it was before the Senate. Senator Knudson explained the bill.

On motion of Senator Knudson, under suspension of the rules, **S.J.R. 10**, MASTER STUDY RESOLUTION, was considered read the second and third times. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hickman	Mansell

S.J.R. 10 was transmitted to the House.

* * *

On motion of Senator Bramble, the circle was removed from **H.B. 365**, AUTOMATED TELLER MACHINE FEES, and it was before the Senate. Senator Bramble explained the bill.

On motion of Senator Bramble, under suspension of the rules, **H.B. 365**, AUTOMATED TELLER MACHINE FEES, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

H.B. 365 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the circle was removed from **H.B. 167**, SCHOOL UNIFORMS, and it was before the Senate. Senator Stephenson explained the bill.

On motion of Senator Stephenson, under suspension of the rules, **H.B. 167**, SCHOOL UNIFORMS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Jenkins	Killpack
Knudson	Madsen	Mayne	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Hickman	Hillyard	Mansell

H.B. 167 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, under suspension of the rules, **1st Sub. H.B. 139**, STATE ANTIQUITIES AND HISTORIC SITES AMENDMENTS,

was considered read the second and third times. Senators Mayne and Arent commented and the bill passed on the following roll call:

Yeas, 25; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Hale	McCoy

Absent or not voting was: Senator
Jenkins

1st Sub. H.B. 139 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the circle was removed from **1st Sub. H.B. 151**, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, and it was before the Senate. Senator Stephenson explained the bill. Senators Bell, Evans, Hillyard, Hale, Bramble, Dmitrich, Jenkins, and Mayne commented.

On motion of Senator Stephenson, under suspension of the rules, **H.B. 151**, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, was considered read the second and third times and passed on the following roll call:

Yeas, 17; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators

Bramble	Buttars	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Jenkins	Killpack
Knudson	Madsen	Stephenson	Thomas
Valentine			

Voting in the negative were: Senators

Arent	Christensen	Davis	Evans
Hillyard	Mansell	Mayne	McCoy
Peterson	Waddoups	Walker	

Absent or not voting was: Senator
Bell

H.B. 151 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House passed, as amended, **1st Sub. S.B. 35**, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS, by Senator G. Bell, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

* * *

Mr. President: March 1, 2006

The House refuses to recede from its amendments to **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and has appointed a Conference Committee consisting of Representatives R. Bigelow, D. Clark, and K. Morgan to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Hillyard, the Senate voted to refuse to recede from its amendments to **S.B. 4**. President Valentine appointed a conference committee consisting of Senators Hillyard, Stephenson, and Hale to meet with a like committee from the House.

* * *

Mr. President: March 1, 2006

The House adopted the Joint Conference Committee Report dated March 1, 2006, and passed **2nd Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: March 1, 2006

The Joint Conference Committee comprised of Sens. Waddoups, Christensen, and Hale, and Reps. Last, Oda, and Morgan, recommends **1st Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, be replaced and favorably recommends **2nd Sub. S.B. 19,** AMENDMENTS TO INDOOR CLEAN AIR ACT.

Sen. Michael Waddoups and
Rep. Brad Last, Chairs

On motion of Senator Waddoups the Senate voted to adopt the Joint Conference Committee Report to **2nd Sub. S.B. 19.** The bill passed on the following roll call vote:

Yeas, 17; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Eastman	Evans	Hale	Hellewell
Hillyard	Jenkins	Knudson	Mansell
Mayne	McCoy	Thomas	Waddoups
Valentine			

Voting in the negative were: Senators

Bell	Davis	Dmitrich	Fife
Hatch	Hickman	Killpack	Madsen
Peterson	Stephenson	Walker	

Absent or not voting was: Senator
Goodfellow

2nd Sub. S.B. 19 was returned to the House the signature of the Speaker.

CONCURRENCE CALENDAR

On motion of Senator Bell, the Senate voted to concur in the House amendments to **1st Sub. S.B. 35**, LOCAL OPTION SALES AND USE TAX

DISTRIBUTION AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Buttars

1st Sub. S.B. 35 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Thomas, under suspension of the rules, **1st Sub. H.B. 148**, PARENT AND CHILD AMENDMENTS, was considered read the second and third times.

Senator Thomas proposed the following amendment:

1. Page 2, Line 51

51 (6) This section does not effect any rights provided under Title 30, Husband and Wife , or any right of a grandparent .

Senator Thomas' motion to amend passed on a voice vote.

# # #

Senator McCoy proposed the following substitute amendment:

1. Page 2, Lines 37 through 38

37 (2) "Person" means an individual other than a grandparent, stepparent, or immediate family member acting on their own behalf or in such capacity as

38 provided by statute.

2. Page 2, Lines 46 through 50:

46 { ~~(4) In loco parentis may not be maintained or legally recognized contrary to the~~

47 ~~expressed desires of a parent of a minor child.~~ }

48 { ~~(5) A biological or adoptive parent who has not been adjudicated as an unfit parent~~

49 ~~may at any time terminate a relationship between a person standing in loco parentis and their~~

50 ~~minor child or children.~~ }

3. Page 2, Line 51:

51 { ~~(6)~~ } (5) This section does not effect any rights provided under Title 30, Husband and Wife , or any right of a grandparent, stepparent, or immediate family member to use in loco parentis .

Senator McCoy's motion to amend failed on a voice vote.

Senator Hillyard, Buttars, and Arent commented and the bill passed on the following roll call:

Yeas, 15; Nays, 12; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hellewell	Jenkins	Killpack
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Valentine	

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hillyard
Knudson	Mayne	McCoy	Walker

Absent or not voting were: Senators

Hatch	Hickman

1st Sub. H.B. 148, as amended, was returned to the House for further consideration.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 109**, SALES AND USE TAX − FOOD AND FOOD INGREDIENTS, by

Representative M. Newbold, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 130**, ADOPTION AMENDMENTS, by Representative A. Hardy, and it is transmitted for the signature of the President.

3rd Sub. H.B. 109 and **H.B. 130**, were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives R. Bigelow, D. Clark, and B. King to meet with a like committee from the Senate to consider or amend **1st Sub. H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, by Representative R. Bigelow.

Sandy D. Tenney, Chief Clerk

Mr. President: March 1, 2006

The Joint Conference Committee comprised of Sens. Hillyard, Bell, and Arent, and Reps. Bigelow, D. Clark, and King, recommends **1st Sub. H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, by Representative R. Bigelow, be replaced and favorably recommends **2nd Sub. H.B. 170,** PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS.

Sen. Lyle Hillyard and
Rep. Ron Bigelow, Chairs

On motion of Senator Hillyard, the Senate voted to adopt the conference committee report. **2nd Sub. H.B. 170** passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Buttars Hale

2nd Sub. H.B. 170 was signed by the President in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House passed, as amended, **3rd Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, by Senator C. Walker, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Walker, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES. The bill, as amended, passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

3rd Sub. S.B. 69 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Thomas, under suspension of the rules, **H.B. 327**, PUBLIC EMPLOYER BENEFIT PLAN, was considered read the second and third times.

Senator Knudson proposed the following amendment:

1. Page 1, Lines 15 through 22
House Committee Amendments
2−2−2006

15 ▶ allows a public employer to offer optional Ĥ→ [~~supplemental~~] ←Ĥ benefit plans to cover

16 additional persons if the supplemental benefit {~~:~~

~~17 •~~ } is specifically approved by the public employer's legislative body or governing

18 board; and

19 {~~• has its costs entirely paid by employee or eligible retiree contributions;~~

20 ~~• does not have any of its costs paid by public employer contributions; and~~

21 ~~• does not receive funding from a public fund of the state or its political~~

22 ~~subdivisions; and~~ }

2. Page 3, Lines 59 through 69:

59 (2) A public employer may also offer optional Ĥ→ [~~supplemental~~] employee ←Ĥ benefit

59a plans that cover a

60 person not described under Subsection (1) if the benefit {~~:~~

61 ~~(a)~~ } is specifically approved by:

62 {~~(i)~~ } (a) a statute enacted by the Legislature;

63 {~~(ii)~~ } (b) an ordinance enacted by the legislative body of a county or municipality; or

64 {~~(iii)~~ } (c) a resolution approved by the governing board of an institution of higher education,

65 school district, charter school, special district, or other political subdivision of the state {~~:~~ } .

66 ~~{(b) has its costs entirely paid by employee or eligible retiree contributions;~~

67 ~~(c) does not have any of its costs paid by public employer contributions; and~~

68 ~~(d) does not receive funding from tax revenues or other public funds of the state or its~~

69 ~~political subdivisions.}~~

Senator Knudson's motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 21; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Evans	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	McCoy	

Absent or not voting was: Senator
Mayne

H.B. 327, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Eastman, under suspension of the rules, **H.B. 110**, AIRPORT SECURITY AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mayne

H.B. 110 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

1st Sub. H.B. 77, SCHOOL DISTRICT BOUNDARIES, was read the second time.

On motion of Senator Bramble, the following substitute bill replaced the original bill:

2nd Sub. H.B. 77 School District Boundaries (D. Cox)

Senator Bramble explained the bill. Senators Waddoups, Killpack, Walker, Eastman, Arent, Thomas, Buttars, and Mayne commented.

On motion of Senator Bramble, under suspension of the rules, **2nd Sub. H.B. 77**, SCHOOL DISTRICT BOUNDARIES, was considered read the second and third times and passed on the following roll call:

Yeas, 18; Nays, 11; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Hale	Hatch	Hellewell
Hickman	Jenkins	Madsen	Mansell
McCoy	Peterson	Stephenson	Thomas
Walker	Valentine		

Voting in the negative were: Senators

Bell	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hillyard	Killpack
Knudson	Mayne	Waddoups	

2nd Sub. H.B. 77 was returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House substituted and passed, **2nd Sub. S.B. 31**, SALES AND USE TAX − MANUFACTURING AND INDUSTRY EXEMPTIONS AMENDMENTS, by Senator H. Stephenson, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 56**, SECONDARY SCHOOL AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 31**, SALES AND USE TAX − MANUFACTURING AND INDUSTRY EXEMPTIONS AMENDMENTS. Senators Hillyard and Hickman commented.

On motion of Senator Stephenson, the bill was circled.

* * *

1st Sub. S.B. 56, SECONDARY SCHOOL AMENDMENTS, was before the Senate.

On motion of Senator Buttars, the bill was circled.

SECOND READING CALENDAR

On motion of Senator Waddoups, under suspension of the rules, **1st Sub. H.B. 394**, RELOCATING OUTDOOR ADVERTISING, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	McCoy
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Arent	Hale

Absent or not voting were: Senators
Christensen Peterson

1st Sub. H.B. 394 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

CONCURRENCE CALENDAR

On motion of Senator Buttars, the circle was removed from **1st Sub. S.B. 56**, SECONDARY SCHOOL AMENDMENTS, and it was before the Senate. Senator Buttars explained the bill.

On motion of Senator Buttars, the Senate voted to concur in the House amendments to **1st Sub. S.B. 56**, SECONDARY SCHOOL AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 19; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Eastman
Evans	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Davis	Fife	Goodfellow
Hale	Mayne	McCoy	

Absent or not voting were: Senators
Christensen Dmitrich Peterson

1st Sub. S.B. 56 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, under suspension of the rules, **H.B. 192**, INSTRUCTIONAL MATERIALS FOR DISABLED STUDENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator Christensen

H.B. 192 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, under suspension of the rules, **H.B. 95**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, was considered read the second and third times.

Senator Hatch proposed the following amendment:

1. Page 2, Lines 32 through 34

32 Other Special Clauses:

33 This bill has retrospective operation for taxable years beginning on or after January 1,

34 2006.
This bill coordinates with S.B. 233, Sales and Use Tax Revisions, to provide when this bill supersedes.

2. Page 5, Lines 146 through 148:

146 Section 5. Retrospective operation.

147 This bill has retrospective operation for taxable years beginning on or after January 1,

148 2006.
Section 6. Coordinating this H.B. 95 with S.B. 233 −− Providing superseded and merging amendments.
If this H.B. 95 and S.B. 233, Sales and Use Tax Revisions, both pass, and S.B. 233 repeals Section 59−10−551, it is the intent of the Legislature that the Utah Code database that the Office of Legislative Research and General Counsel prepares for publication shall provide that Section 59−10−551:

(1) not be repealed; and
(2) be modified to read:

59−10−551. Removal of designation and prohibitions on collection for {~~certain contributions~~} Cat and Dog Community Spay and Neuter Program contribution on income tax form −− Conditions for removal and prohibitions on collection −− Commission reporting requirements.

(1) {~~(a) Beginning on January 1, 1998, if a~~} If the contribution {~~or combination of contributions described in Subsection (1)(b) generate~~} provided for in Section 59−10−550.2 generates less than $30,000 per year for three consecutive years, the commission shall remove the designation for the contribution from the income tax return and may not collect the contribution from a resident or nonresident individual beginning two taxable years after the three−year period for which the contribution generates less than $30,000 per year.

{~~(b) The following contributions apply to Subsection (1)(a):~~}

{~~(i) the contribution provided for in Section 59−10−530;~~}

{~~(ii) the contribution provided for in Section 59−10−530.5;~~}

{~~(iii) the sum of the contributions provided for in Subsection 59−10−549(1)(a);~~}

{~~(iv) the contribution provided for in Subsection 59−10−549(1)(b);~~}

{~~(v) the contribution provided for in Section 59−10−550; or~~}

{~~(vi) the contribution provided for in Section 59−10−550.1.~~}

(2) If the commission removes the designation for a contribution under Subsection (1), the commission shall report to the Revenue and Taxation Interim Committee that the commission removed the designation on or before the November interim meeting of the year in which the commission determines to remove the designation.

Senator Hatch's motion to amend passed on a voice vote. Senators Hickman, Stephenson, Buttars, and Valentine commented and the bill passed on the following roll call:

Yeas, 23; Nays, 6; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	

Voting in the negative were: Senators

Buttars	Hickman	Hillyard	Jenkins
Madsen	Valentine		

H.B. 95, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hillyard, the Senate voted to lift **H.B. 388** from Rules and place it at the top of the Second Reading Calendar.

* * *

H.B. 388, TRAUMATIC BRAIN INJURY FUND, was read the second time.

On motion of Senator Peterson, the following substitute bill replaced the original bill:

1st Sub. H.B. 388 Traumatic Brain Injury Fund (J. Gowans)

On motion of Senator Peterson, the bill was circled.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House adopted the Joint Conference Committee Report dated March 1, 2006, and passed **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: March 1, 2006

The Joint Conference Committee comprised of Sens. Hillyard, Stephenson, and Hale, and Reps. Bigelow, Harper, and Morgan, recommends **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, with the following amendments:

1. Include the House amendments on Page 28, Line 1042, Page 42, Lines 1558 through 1558d, and 1568a through 1568d, and Page 158, Line 5987 of the Lilac copy dated 03−01−2006.

2. Include the Senate amendments on Pages 11, 13, 14, 25, 26, 27, 28, 29, 30, 31, 35, 44, 59, and 144 of the Goldenrod copy dated 02−28−2006.

Sen. Lyle Hillyard and
Rep. Ron Bigelow, Chairs

On motion of Senator Hillyard, the Senate voted to adopt the Conference Committee report. The bill passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Hale	McCoy

S.B. 4 was returned to the House for the signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House passed, as amended, **1st Sub. S.B. 233**, SALES AND USE TAX REVISIONS, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Bramble, the Senate voted to concur in the House amendments to **1st Sub. S.B. 233**, SALES AND USE TAX REVISIONS. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Hillyard

Absent or not voting was: Senator
Mansell

1st Sub. S.B. 233 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the circle was removed from **2nd Sub. S.B. 31**, SALES AND USE TAX − MANUFACTURING AND INDUSTRY EXEMPTIONS AMENDMENTS, and it was before the Senate.

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 31**, SALES AND USE TAX − MANUFACTURING AND INDUSTRY EXEMPTIONS AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bell Madsen

2nd Sub. S.B. 31 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard the Senate voted to lift **H.B. 401** to the top of the Second Reading Calendar.

SECOND READING CALENDAR

H.B. 401, VETERANS AFFAIRS AMENDMENTS, was read the second time. Senators Thomas and Valentine declared a conflicts of interest.

Senator Hillyard proposed the following amendment:

1. Page 1, Line 16:
   Delete "$100,000" and insert "$50,000"

2. Page 1, Line 19:
   Delete "$100,000" and insert "$50,000"

3. Page 9, Line 265:
   Delete "$100,000" and insert "$50,000"

Senator Hillyard's amendment passed on a voice vote.

On motion of Senator Thomas, under suspension of the rules, **H.B. 401**, VETERANS AFFAIRS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 2; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative were: Senators

Evans	Hickman

Absent or not voting were: Senators

Madsen	McCoy

H.B. 401, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Peterson, the circle was removed from **1st Sub. H.B. 388**, TRAUMATIC BRAIN INJURY FUND, and it was before the Senate.

On motion of Senator Peterson, under suspension of the rules, **1st Sub. H.B. 388**, TRAUMATIC BRAIN INJURY FUND, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 388 was returned to the House for further consideration.

* * *

On motion of Senator Waddoups the Senate voted to rearrange the following bills on the Second Reading Calendar:

H.B. 100, H.B. 403, H.B. 150, H.B. 414, and **H.B. 198.**

* * *

On motion of Senator Waddoups, the Senate voted to lift **2nd Sub. H.B. 9** from Rules and place it on the Second Reading Calendar.

* * *

On motion of Senator Waddoups, the Senate voted to lift **H.J.R. 8** and **1st Sub. H.B. 257** from Rules and place them at the bottom of the Second Reading Calendar.

* * *

On motion of Senator Knudson, and at 10:20 p.m., the Senate sauntered.

The Senate was called to order at 10:40 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House substituted and passed, **3rd Sub. S.B. 176**, CONTACT LENS CONSUMER PROTECTION ACT, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Bramble, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 176**, CONTACT LENS CONSUMER PROTECTION ACT. The bill, as amended, passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bramble	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hickman
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Waddoups	Valentine		

Voting in the negative were: Senators

Bell	Hale	Hillyard	Jenkins
Thomas			

Absent or not voting were: Senators

Buttars	Walker

3rd Sub. S.B. 176 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the Senate voted to lift **1st Sub. H.B. 4** from Rules and place it at the top of the Second Reading Calendar.

SECOND READING CALENDAR

1st Sub. H.B. 4, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator Bramble, under suspension of the rules, **1st Sub. H.B. 100**, ENVIRONMENTAL LITIGATION BOND, was considered read the second and third times and passed on the following roll call:

Yeas, 20; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Dmitrich
Eastman	Evans	Hatch	Hellewell
Hickman	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Fife	Goodfellow
Hale	Hillyard	Mayne	McCoy

Absent or not voting was: Senator
Buttars

1st Sub. H.B. 100 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Mansell, under suspension of the rules, **2nd Sub. H.B. 403**, BAIL BOND AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

2nd Sub. H.B. 403 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hillyard, the circle was removed from **1st Sub. H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, and it was before the Senate. Senator Hillyard explained the bill.

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 3; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Hale	Mayne

1st Sub. H.B. 4 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Mayne, under suspension of the rules, **H.B. 150**, WORKERS' COMPENSATION REVISIONS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Arent

H.B. 150 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, under suspension of the rules, **H.B. 414**, PETITION FOR INVOLUNTARY MEDICATION OF INCOMPETENT PERSON, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 414 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, under suspension of the rules, **2nd Sub. H.B. 9**, WORKERS' COMPENSATION STUDIES INCLUDING COVERAGE OF FIREFIGHTERS AND DRUG OFFICERS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

2nd Sub. H.B. 9 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House substituted, amended, and passed, **1st Sub. S.B. 75**, U STAR INITIATIVE, by Senator L. A. Mansell, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **2nd Sub. S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS, by Senator H. Stephenson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Mansell, the Senate voted to concur in the House amendments to **1st Sub. S.B. 75**, U STAR INITIATIVE. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale

Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

1st Sub. S.B. 75 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mayne

2nd Sub. S.B. 113 was returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Bramble, under suspension of the rules, **H.B. 198**, STATEWIDE 911 EMERGENCY COMMUNICATION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch

Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Hale Mayne

H.B. 198 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Waddoups, under suspension of the rules, **H.B. 350**, CONCEALED FIREARMS INSTRUCTORS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	McCoy
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators
Hale Mansell Mayne

H.B. 350 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, under suspension of the rules, **H.B. 363**, DRIVER LICENSE − LEARNER PERMIT PROVISIONS, was considered read the second and third times. Senator Arent commented and the bill passed on the following roll call:

Yeas, 24; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker

Voting in the negative were: Senators

Arent	McCoy	Valentine

Absent or not voting were: Senators

Hale	Mansell

H.B. 363 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The House adopted the Joint Conference Committee Report dated March 1, 2006, and passed **2nd Sub. H.B. 170**, PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS, by Representative R. Bigelow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

2nd Sub. H.B. 170, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

SECOND READING CALENDAR

On motion of Senator Peterson, under suspension of the rules, **H.B. 223**, TRESPASS LAW AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator

Knudson

H.B. 223 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 304, VOIDING TRANSACTIONS AGAINST PUBLIC POLICY, was read the second time.

On motion of Senator Madsen, the bill was circled.

* * *

On motion of Senator Bell, under suspension of the rules, **H.B. 123**, DISASTER RESPONSE AND RECOVERY ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative was: Senator
Madsen

Absent or not voting was: Senator
Knudson

H.B. 123 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, under suspension of the rules, **H.B. 140**, AMENDMENTS TO COMMERCIAL DRIVER LICENSE PROVISIONS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Buttars	Knudson

H.B. 140 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, under suspension of the rules, **H.B. 145**, RANGELAND IMPROVEMENT ACT, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Mansell

H.B. 145 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Stephenson, under suspension of the rules, **2nd Sub. H.B. 172**, LOCAL LAND USE PROVISIONS RELATING TO SCHOOLS, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 2; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Eastman	Mansell

2nd Sub. H.B. 172 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bramble, under suspension of the rules, **H.B. 351**, CARSON SMITH SCHOLARSHIP PROGRAM AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 20; Nays, 9; Absent, 0.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Arent	Davis	Dmitrich	Evans
Fife	Goodfellow	Hale	Mayne
McCoy			

H.B. 351 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Bell, under suspension of the rules, **1st Sub. H.B. 417**, AMENDMENTS TO CHILD PROTECTION REGISTRY, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 417 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Killpack, under suspension of the rules, **1st Sub. H.B. 458**, ECONOMIC DEVELOPMENT − GOVERNMENT PROCUREMENT CONTRACTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Arent

1st Sub. H.B. 458 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, under suspension of the rules, **H.B. 328**, ELIMINATING THE AGE REQUIREMENT FOR HUNTING SMALL GAME, was considered read the second and third times. Senator Hale and Jenkins commented and the bill passed on the following roll call:

Yeas, 20; Nays, 7; Absent, 2.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Eastman
Evans	Fife	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Valentine

Voting in the negative were: Senators

Bell	Davis	Dmitrich	Goodfellow
Hale	McCoy	Walker	

Absent or not voting were: Senators

Arent	Killpack

H.B. 328 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hickman, under suspension of the rules, **1st Sub. H.B. 215**, PEHP RISK POOL AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

1st Sub. H.B. 215 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Evans, under suspension of the rules, **H.B. 193**, SALES AND USE TAX FUNDING FOR HEALTH CARE, was considered read the

second and third times. Senator Valentine commented and the bill passed on the following roll call:

Yeas, 26; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative was: Senator
Stephenson

Absent or not voting were: Senators
Christensen Hickman

H.B. 193 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, the Senate voted to recall **H.B. 109** for reconsideration.

* * *

H.B. 3, APPROPRIATION ADJUSTMENTS, was read for the first time and referred to Rules.

On motion of Senator Hillyard, the Senate voted lift **H.B. 3** from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 3**, APPROPRIATION ADJUSTMENTS, was considered read the second and third times.

Senator Jenkins proposed the following amendment:

1. Page 25, Line 933:
   Delete “20,900,000” and insert “<u>45,900,000</u>”

2. Page 25, Line 934:
Delete “70,000,000” and insert “45,000,000”

Senator Jenkins’ motion to amend passed on a voice vote. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 3, as amended, was returned to the House for further consideration.

* * *

1st Sub. H.B. 457, AMENDMENTS TO TRANSPORTATION PROVISIONS, was read the second time.

On motion of Senator Bramble, the bill was circled.

* * *

H.J.R. 30, UTAH ATHLETIC FOUNDATION RESOLUTION, was read the second time.

Senator Evans proposed the following amendment:

1. Page 2, Lines 34 through 38

34 Olympic Winter Games, as Purchaser executed August 1, 1994, as amended; {~~and~~}

35 (3) “Sale,” “sales,” “sell,” “sells,” “selling,” or “sold” means to transfer:

36 {~~(i)~~} (a) ownership, title to, or possession of, real property; and

37 {~~(ii)~~} (b) with or without consideration {~~.~~} ; and

38 {~~(3)~~} (4) "Winter Sports Park" means the Foundation's winter sports park and access road

2. Page 4, Line 108
House Committee Amendments
2−21−2006:

108 BE IT FURTHER RESOLVED that the Legislature of the state of Utah approves the

3. Page 6, Lines 155 through 156:

155 (c) the budget for the year following the year in which the {~~Utah Athletic~~} Foundation

156 provides the annual report;

Senator Evan's motion to amend passed on a voice vote.

On motion of Senator Mansell, under suspension of the rules, **H.J.R. 30**, UTAH ATHLETIC FOUNDATION RESOLUTION, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

H.J.R. 30, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Peterson, under suspension of the rules, **H.B. 271**, PETROLEUM STORAGE TANK TRUST FUND AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Madsen

H.B. 271 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Thomas, under suspension of the rules, **H.B. 410**, SEX OFFENDER REGISTRATION FEE, was considered read the second and third times and passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

H.B. 410 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Waddoups, under suspension of the rules, **H.B. 423**, LIMITATION ON LOCAL HIGHWAY AUTHORITIES, was considered read the second and third times and passed on the following roll call:

Yeas, 22; Nays, 7; Absent, 0.

Voting in the affirmative were: Senators

Bramble	Buttars	Christensen	Davis
Eastman	Evans	Hatch	Hellewell

Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Arent	Bell	Dmitrich	Fife
Goodfellow	Hale	McCoy	

H.B. 423 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2006

The Speaker of the House has signed **S.B. 4**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 19**, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, and it is transmitted for the signature of the President; and

The House passed, **S.B. 29**, SALES AND USE TAX EXEMPTION − TELECOMMUNICATIONS, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 31**, SALES AND USE TAX − MANUFACTURING AND INDUSTRY EXEMPTIONS AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The House passed, **S.B. 34**, GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS, by Senator M. Dmitrich, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 35**, LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS, by Senator G. Bell, and it is transmitted for the signature of the President; and

The House passed, **S.B. 49**, SCHOOL COMMUNITY COUNCIL AMENDMENTS, by Senator P. Arent, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 56**, SECONDARY SCHOOL AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 58**, ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The House passed, **S.B. 60**, WESTERN STATES PRESIDENTIAL PRIMARY, by Senator P. Knudson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 69**, PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES, by Senator C. Walker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 88**, DISCLOSURE OF DRIVER LICENSE RECORDS, by Senator M. Madsen, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 89**, SALES AND USE TAX − ATTACHMENT OF TANGIBLE PERSONAL PROPERTY TO REAL PROPERTY, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 128**, REVOLVING CREDIT LINE TRUST DEED, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 173**, LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS, by Senator T. Hatch, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 179**, AMENDMENTS TO SALES AND USE TAX EXEMPTIONS FOR CERTAIN VEHICLES, BOATS, BOAT TRAILERS, AND OUTBOARD MOTORS, by Senator H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 184**, CRIMINAL IDENTITY FRAUD AMENDMENTS, by Senator C. Walker, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 196**, REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS, by Senator C. Bramble, and it is transmitted for the signature of the President; and

The House passed, **S.B. 229**, CIVIL SERVICE COMMISSIONS, by Senator S. Jenkins, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 233**, SALES AND USE TAX REVISIONS, by Senator C. Bramble, and it is transmitted for the signature of the President; and

The House passed, **S.B. 256**, TRANSIT SECURITY AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 4, 2nd Sub. S.B. 19, S.B. 29, 2nd Sub. S.B. 31, S.B. 34, 1st Sub. S.B. 35, S.B. 49, 1st Sub. S.B. 56, 1st Sub. S.B. 58, S.B. 60, 3rd Sub. S.B. 69, 1st Sub. S.B 88, S.B. 89, 1st Sub. S.B. 128, S.B. 173, S.B. 179, S.B. 184, 2nd Sub. S.B. 196, S.B. 229, 1st Sub. S.B. 233, and **S.B. 256** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The House concurred in the Senate amendments and passed **H.B. 3**, APPROPRIATION ADJUSTMENTS, by Representative R. Bigelow, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 77**, SCHOOL DISTRICT BOUNDARIES, by Representative D. Cox, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 95**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, by Representative M. Noel et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 133**, COMMERICAL TRANSACTIONS OF PERSONAL PROPERTY, by Representative R. Lockhart, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 148**, PARENT AND CHILD AMENDMENT, by Representative L. Christensen, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

H.B. 3, H.B. 77, H.B. 95, H.B. 133, and **H.B. 148** were signed by the President in open session and returned to the House for signature of the Speaker.

* * *

Mr. President: March 1, 2006

The House passed, **1st Sub. S.B. 75**, U STAR INITIATIVE, by Sen. L. A. Mansell, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS, by Sen. H. Stephenson, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 147**, DIVISION OF CONSUMER PROTECTION AMENDMENTS, by Sen. D. Eastman, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **3rd Sub. S.B. 176**, CONTACT LENS CONSUMER PROTECTION ACT, by Sen. C. Bramble, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 75, 2nd Sub. S.B. 113, S.B. 147, and **3rd Sub. 176** were signed by the President and transmitted to the Governor.

* * *

Mr. President: March 1, 2006

The Speaker of the House has signed **S.B. 106**, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT, by Sen. L. Hillyard, and it is transmitteed for the signature of the President

Sandy D. Tenney, Chief Clerk

S.B. 106 was signed by the President in open session and transmitted to the Governor.

* * *

On motion of Senator Knudson, the Senate struck the enacting clause on all House bills and resolutions remaining on the Senate calendar and with the Rules Committee.

On motion of Senator Knudson, the Senate struck the enacting clause on all Senate bills and resolutions remaining on the calendar and with the Rules Committee and ordered them filed.

President John Valentine directed Annette Moore and Leslie McLean to read, revise, and make minor corrections to the Daily Senate Journals and be responsible for certifying the indexed and bound copy as the accurate record of the proceedings of the 2006 General Session of the Fifty−Sixth Legislature.

President Valentine appointed Senators Tom Hatch, Curtis Bramble, and Fred Fife to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Valentine appointed Senators Parley Hellewell, Howard Stephenson, and Patrice Arent to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

On motion of Senator Bell, the Senate voted to give each member of the Senate staff an additional 16 hours' compensation at the rates established for each employee.

Senator Peter Knudson and Senator Mike Dmitrich expressed appreciation to the opposite party.

Senator Greg Bell, Chairman of the Employee Committee, asked that all Senate employees stand and receive the thanks of the Senators. He also expressed thanks to all the legislative employees serving in the Office of Legislative Research and General Counsel, Fiscal Analyst, Auditor General, and to the employees in Legislative Printing.

Senator Bell also expressed appreciation to the Senate interns for the exceptional work they have done throughout the session.

President Valentine expressed appreciation to Senator Knudson, Senator Eastman, Senator Waddoups, and Senator Lyle Hillyard.

Senator Hellewell reported the House has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Hatch reported that his committee, with a like committee from the House of Representatives, had notified the Governor. The Governor asked that the committee convey to each house that he has no further business to bring before the legislature but that he would like to speak before each house prior to their adjournment sine die.

Governor Jon M. Huntsman, Jr. made closing remarks and expressed appreciation to the Senate.

On motion of Senator Knudson and at 12:00 a.m., the Senate adjourned sine die.

SENATE STRUCK ENACTING CLAUSE (HOUSE BILLS AND RESOLUTIONS)

Mr. President: March 1, 2006

I am directed to inform the House of Representatives that the Senate on this day struck the enacting clause on the following House Bills and Resolutions:

H.B. 8	Marriage Preparation Education (Rep. R. McGee)
H.B. 22	Utah Child Abuse Prevention Board (Rep. P. Ray)
2nd Sub. H.B. 24	Medicaid Dental and Physician Reimbursement Amendments (Rep. S. Mascaro)
2nd Sub. H.B. 42	Renewable Energy Tax Credit (Rep. S. Allen)
1st Sub. H.B. 53	Corporate Franchise and Income Taxes − Apportionment of Business Income to Utah and Deduction of Net Losses by a Unitary Group (Rep. W. Harper)
H.B. 58	Additional State Retirement Benefit (Rep. L. Shurtliff)
H.B. 61	Criminal Penalty for Animal Cruelty (Rep. S. Wyatt)
1st Sub. H.B. 68	School Fee Waiver Amendments (Rep. L. Shurtliff)
H.B. 75	Unclaimed Property Act Revisions (Rep. F. Hunsaker)
2nd Sub. H.B. 79	Prescription Drug Purchasing Pools (Rep. B. Last)
H.B. 89	Adoption and Vital Statistics Amendments (Rep. K. Holdaway)
2nd Sub. H.B. 94	Ban on Gifts to Elected Officials (Rep. P. Jones)
1st Sub. H.B. 97	Community Impact Amendments (Rep. G. Snow)
3rd Sub. H.B. 101	Lobbyist Gift Limits and Disclosure (Rep. J. Alexander)
1st Sub. H.B. 107	Full−day Kindergarten (Rep. K. Holdaway)
H.B. 111	Child Restraint Device Amendments (Rep. T. Cosgrove)
H.B. 118	Utah Health Care Workforce Financial Assistance Act Amendments (Rep. J. Biskupski)
2nd Sub. H.B. 122	Utah Small Business Health Plan (Rep. S. Mascaro)

H.B. 141	Motor Vehicle Registration Checkoff for Protecting Access to Public Lands and Off−highway Vehicle Education (Rep. M. Noel)
H.B. 144	Benefits for National Guard Members and Families (Rep. G. Hughes)
H.B. 146	Public Safety Retirement for Dispatchers (Rep. D. Bowman)
2nd Sub. H.B. 155	Education Testing and Graduation Amendments (Rep. N. Hansen)
2nd Sub. H.B. 174	Guardian Ad Litem Amendments (Rep. L. Christensen)
H.B. 176	School District Enrollment Diversity (Rep. D. Bourdeaux)
H.B. 186	Suicide Prevention Plan (Rep. D. Hogue)
H.B. 194	Service Animals (Rep. P. Ray)
H.B. 196	Real Property Disclosures (Rep. G. Hughes)
1st Sub. H.B. 201	Fee Waiver Eligibility Verification (Rep. K. Holdaway)
H.B. 202	Foreign Exchange Student Amendments (Rep. N. Hendrickson)
H.B. 216	Expiration of Group Health Insurance for Retired Governors and Legislators (Rep. D. Clark)
H.B. 217	Health Insurance High Risk Pool Eligibility Amendments (Rep. D. Litvack)
1st Sub. H.B. 220	Child Protection − Gang Association (Rep. E. Hutchings)
H.B. 222	Unborn Child Pain Prevention Act (Rep. P. Ray)
H.B. 225	Post Retirement Employment (Rep. G. Donnelson)
2nd Sub. H.B. 230	High School Curriculum and Graduation (Rep. B. Daw)
H.B. 234	Seat Belt Amendments (J. Murray)
2nd Sub. H.B. 236	Department of Commerce − Demographic Data Tracking (Rep. M. Wheatley)
1st Sub. H.B. 240	Public Safety Retirement Revisions (Rep. D. Clark)
H.B. 246	Health Care Cost and Quality Data (Rep. M. Morley)
H.B. 248	Executive and Legislative Coordination Act (D. Hogue)
H.B. 249	Juvenile Court Judge (Rep. D. Hogue)
H.B. 251	Development Grants for Libraries (Rep. M. Noel)
H.B. 253	School Truancy Amendments (Rep. E. Hutchings)
1st Sub. H.B. 257	Material Harmful to Minors Amendments (Rep. D. Hogue)
2nd Sub. H.B. 259	Division of Air Quality − Bond for Stay of an Order (Rep. A. Tilton)
1st Sub. H.B. 270	Emergency Medical Service Provider Tort Reform (Rep. S. Allen)

H.B. 282	Utah Uniform Probate Code Amendments (Rep. R. Romero)
H.B. 290	Protective Order Amendments (Rep. L. Fowlke)
H.B. 298	Driver License − Application of Minor (Rep. D. Litvack)
1st Sub. H.B. 299	Medical Recommendations for Children (Rep. M. Morley)
H.B. 303	Aging and Adult Services Program Amendments (Rep. J. Dunnigan)
H.B. 304	Voiding Transactions Against Public Policy (Rep. L. Christensen)
H.B. 305	Boating Registration Fee (Rep. D. Cox)
1st Sub. H.B. 317	Administrative Rule Criminal Penalty Amendments (Rep. D. Ure)
1st Sub. H.B. 319	Density Credit for Land Donated to School District (Rep. D. Cox)
1st Sub. H.B. 321	Organized Retail Theft Offenses (Rep. P. Ray)
2nd Sub. H.B. 323	Individual Income Tax Rate Reduction (Rep. J. Ferrin)
H.B. 329	Age Amendments for Hunting Big Game (Rep. C. Oda)
1st Sub. H.B. 330	Allowance of State Memorials on State Property (Rep. W. Harper)
2nd Sub. H.B. 335	Radiation Control Act − Bond Requirements (Rep. A. Tilton)
H.B. 337	Education Resources Conservation Program (Rep. J. Biskupski)
H.B. 342	Traffic Code Revisions (Rep. J. Dunnigan)
H.B. 352	State Budget Provisions (Rep. M. Dayton)
H.B. 366	Traffic Code Amendments (Rep. P. Ray)
H.B. 367	Audit of State Budgets (Rep. L. Christensen)
H.B. 368	Commission Payment Act (Rep. D. Ure)
H.B. 379	Amendments to Sexually Explicit Business and Escort Service Fund (Rep. T. Cosgrove)
H.B. 381	Post−retirement Benefits Trust Fund (Rep. D. Clark)
H.B. 382	Parentage Act Amendments (Rep. L. Fowlke)
H.B. 398	Joint Custody Amendments (Rep. L. Christensen)
H.B. 420	Municipal Building Inspectors Availability (Rep. A. Tilton)
H.B. 429	Methamphetamine − Restriction on Components (Rep. M. Morley)
1st Sub. H.B. 432	Access to Point−of−sale Devices (Rep. R. Barrus)
H.B. 444	Irrigation Companies − Nonprofit Corporation Amendments (Rep. J. Gowans)

1st Sub. H.B. 448	Standardizing Documents Filed with the County Recorder (Rep. C. Frank)
H.B. 453	Gifts, Grants, and Donations to Office of the Attorney General (Rep. M. Noel)
1st Sub. H.B. 457	Amendments to Transportation Provisions (Rep. J. Dougall)
H.C.R. 5	Resolution Urging Congress to Resolve Camp Williams Boundary Issues (Rep. D. Hogue)
H.J.R. 8	Resolution Revising Executive Officer Succession Provisions (Rep. S. Allen)
H.J.R. 10	Joint Rules Resolution − Disclosure of Conflict of Interest (Rep. R. Romero)
H.J.R. 12	Joint Resolution Supporting Garfield County Expansion of Correctional Facilities (Rep. M. Noel)
H.J.R. 16	Resolution Urging Congressional Repeal of Federal Excise Tax on Telecommunications (Rep. L. Christensen)
H.J.R. 25	State Transportation Empowerment Resolution (Rep. A. Tilton)
H.J.R. 26	Resolution Urging Congress to Appropriate Adequate Funds for Medicare Prescription Drug Coverage Counseling (Rep. T. Cosgrove)

Annette B. Moore
Secretary of the Senate

HOUSE STRUCK ENACTING CLAUSE (SENATE BILLS AND RESOLUTIONS)

Mr. President: March 1, 2006

I am directed to inform the Utah State Senate that the House Committee on Rules has struck the enacting clause on the following Senate Bills and Resolutions:

S.B. 2	Executive Compensation Amendments (L. Hillyard)
S.B. 15	Grama Appeals Process and Document Request Amendments (D. Thomas)
3rd Sub. S.B. 24	Weapons Amendments (M. Madsen)
S.B. 32	Multi−Channel Video or Audio Service Tax − County of Municipality Franchise Fee Tax Credit (B. Goodfellow)
2nd Sub. S.B. 33	Sales and Use Tax Exemptions and Refund for Certain Business Inputs (H. Stephenson)
S.B. 45	Oil and Gas Conservation Account Amendments (M. Dmitrich)

2nd Sub. S.B. 72	Home School and Dual Enrollment Amendments (M. Madsen)
S.B. 74	Privatization of Government Functions Task Force (H. Stephenson)
2nd Sub. S.B. 76	Lenders Registration Acts Amendments (E. Mayne)
S.B. 94	Amendments to Utah Comprehensive Health Insurance Pool (G. Davis)
1st Sub. S.B. 97	Student Club Amendments (D.C. Buttars)
S.B. 98	Safety Belt Enforcement Amendments (K. Hale)
1st Sub. S.B. 114	Producer and Affiliate Disclosure Amendments (B. Evans)
S.B. 120	Governor's Rural Partnership Board Amendments (T. Hatch)
1st Sub. S.B. 121	Small College Enhancements (J. Hickman)
1st Sub. S.B. 122	Repeal of Libel Provisions (S. McCoy)
S.B. 142	Information Available to Senate Judicial Confirmation Committee (D.C. Buttars)
2nd Sub. S.B. 145	Regulation of Direct Pathology Billing (G. Bell)
1st Sub. S.B. 152	Medicaid Task Force (S. Killpack)
S.B. 154	Sales and Use Tax Exemption for Certain Admissions to or Rights to Use the Premises of a Private Club (M. Dmitrich)
1st Sub. S.B. 156	Legislative Direction Relating to United States Senators (H. Stephenson)
S.B. 157	Impact of Administrative Rules on Small Businesses (H. Stephenson)
2nd Sub. S.B. 163	Statement Under Penalty of Perjury (S. McCoy)
S.B. 169	Sales and Use Tax − Dental Prostheses (P. Knudson)
2nd Sub. S.B. 172	Correctional Facility Bidding Process (H. Stephenson)
S.B. 175	Correctional Facility Bidding Process (H. Stephenson)
S.B. 188	Private Investigator Regulation Act Amendments (P. Hellewell)
S.B. 195	Child Support Guidelines (G. Bell)
S.B. 201	Anticamcorder Piracy (G. Bell)
S.B. 202	Use of Oil and Gas Tax Revenues (L. Hillyard)
S.B. 204	High School Graduation Amendments (M. Madsen)
2nd Sub. S.B. 206	Child Protection Registry Amendments (M. Dmitrich)
S.B. 207	Presumptive Personal Representative (G. Bell)
S.B. 212	Veteran Survivor and Dependent Higher Education Benefit (S. McCoy)
S.B. 213	Clarifications to Guardian Ad Litem (D. Eastman)

2nd Sub. S.B. 242	Tax Revisions (C. Bramble)
S.B. 244	Business Resource Centers (P. Knudson)
S.B. 247	Hill Air Force Base Museum Funding (A. Christensen)
1st Sub. S.B. 258	Revenue Bonds − Auditing of Public−Private Contracts (C. Bramble)
S.B. 269	Securities Amendments (C. Bramble)
S.C.R. 3	Concurrent Resolution Honoring America's Military War Dogs (E. Mayne)
S.C.R. 5	Resolution Opposing Transport and Storage of Spent Nuclear Fuel (P. Knudson)
S.J.R. 2	Resolution Enlarging Revenues and Assets in State Trust Fund (L. Hillyard)
S.J.R. 10	Master Study Resolution (P. Knudson)

Rebecca Lockhart
House Rules Committee Chair

* * *

Mr. President: March 1, 2006

The Rules Committee recommends the enacting clause be stricken on the following Senate Bills and Resolutions and they be filed:

S.B. 39	General Fund Surplus Appropriation for Water Development Projects (Sen. L. Hillyard)
S.B. 42	Amendments Prohibiting Health Insurance Discrimination (Sen. S. McCoy)
S.B. 43	Minimum Wage Amendments (Sen. E. Mayne)
1st Sub. S.B. 44	Home Inspection Standards (Sen. S. McCoy)
S.B. 48	School Nurses Legislative Task Force (Sen. E. Mayne)
S.B. 54	Revenue Flow From Speeding Violations (Sen. J. Hickman)
1st Sub. S.B. 63	License Plate Amendments (Sen. D. Eastman)
1st Sub. S.B. 64	Legislative Compensation Commission Amendments (Sen. G. Bell)
S.B. 73	Personal Use of Campaign Funds (Sen. K. Hale)
S.B. 77	Classification and Inspection of Records Under Grama (Sen. M. Madsen)
S.B. 78	Alternative School Building Plans (Sen. D. C. Buttars)
S.B. 90	Homeowners Association Provisions (Sen. J. Hickman)
S.B. 91	Regulation of Restraint, Seclusion, and Emergency Medication (Sen. T. Hatch)
S.B. 96	Public Education − Instruction and Policy Relating to the Origins of Life (Sen. D. C. Buttars)

S.B. 102	Gifts to Public Officials (Sen. G. Bell)
S.B. 104	Prescribing Practices for Schedule II Drugs (Sen. P. Knudson)
S.B. 105	County Officer Revisions (Sen. C. Walker)
S.B. 110	Protection of Certain Voter Information (Sen. L. Hillyard)
S.B. 125	Malik's Law − Homicide Amendment (Sen. F. Fife)
S.B. 126	Transportation of Children in Kindergarten Through Sixth Grade (Sen. E. Mayne)
1st Sub. S.B. 131	Authorization of Opinion Questions to Voters (Sen. E. Mayne)
S.B. 133	Liability Protections for Charity Care (Sen. P. Knudson)
S.B. 138	Traffic Tickets and Convictions (Sen. D. C. Buttars)
S.B. 144	Child Care Exemptions Amendments (Sen. P. Hellewell)
S.B. 151	Property Tax − Notice and Hearing Amendments (Sen. G. Bell)
S.B. 166	Moratorium on Issuing Sales Tax Revenue Bonds by Local Governments (Sen. L. Hillyard)
S.B. 170	Local Government Land Use and Impact Fee Revisions (Sen. L. A. Mansell)
S.B. 181	Restoration of Felon's Right to Hold Office (Sen. P. Hellewell)
S.B. 192	Exemptions to Residential Property Tax (Sen. E. Mayne)
S.B. 199	School Community Council Powers (Sen. M. Madsen)
S.B. 200	Voter Registration − Proof of Citizenship (Sen. M. Madsen)
1st Sub. S.B. 203	Telephone Solicitation Amendments (Sen. P. Hellewell)
3rd Sub. S.B. 208	Reporting of Tax Information (Sen. S. McCoy)
S.B. 210	Eminent Domain Changes (Sen. S. Jenkins)
S.B. 215	Electronic Waste Task Force and Moratorium on Electronic Waste Disposal (Sen. S. McCoy)
S.B. 216	Children's Justice Center Funding (Sen. D. C. Buttars)
S.B. 217	School and Institutional Trust Lands Amendments (Sen. T. Hatch)
S.B. 227	Responsibilities of Public Transit Districts (Sen. S. McCoy)
S.B. 230	Personal Property and Personal Injury Claim (Sen. G. Bell)
S.B. 254	Campaign Finance and Reporting Amendments (Sen. C. Bramble)
S.B. 259	Electronic Voting − Vote Count Audit Committee (Sen. S. McCoy)

S.B. 264	DNA Exoneration Testing (Sen. D. C. Buttars)
S.B. 270	Individual Income Tax Revisions (Sen. T. Hatch)
S.C.R. 2	Resolution Urging Development of Offshore Energy Resources (Sen. T. Hatch)
S.C.R. 4	Concurrent Resolution Supporting Goshute Tribe (Sen. D. Peterson)
S.J.R. 5	Joint Resolution Condemning Use of Torture (Sen. S. McCoy)
S.J.R. 7	Joint Rules Resolution Amending Legislative Expenses (Sen. G. Bell)
S.J.R. 8	Resolution Submitting Minimum Wage Question to the Voters (Sen. E. Mayne)

The following bills were filed by short title only and never introduced:

S.B. 81	Municipal Regulation of Publicly Owned Regional Utility Plants (Sen. M. Waddoups)
S.B. 82	Military Life Insurance Premium (Sen. G. Bell)
S.B. 83	Sales and Use Tax − Single Rate Per County (Sen. G. Bell)
S.B. 87	School District Methodology (Sen. P. Hellewell)
S.B. 194	Custody Amendments (Sen. G. Bell)
S.B. 197	Employee Noncompetition Contracts (Sen. E. Mayne)
S.B. 211	Employer Restrictions on Employee Possession of Firearms in Parking Lot (Sen. M. Madsen)
S.B. 218	Regulation of Unconscionable Provisions in Purchase, Renew, and Return Type Leases (Sen. C. Bramble)
S.B. 219	Teacher Curriculum Training (Sen. P. Hellewell)
S.B. 223	Property Taxes on Golf Courses and Other Open Space (Sen. G. Bell)
S.B. 231	Privatization of Workers Compensation Fund (Sen. T. Hatch)
S.B. 235	Installation and Servicing of Furnaces and Air Conditioning (Sen. P. Hellewell)
S.B. 237	Telecommunications Amendments (Sen. G. Davis)
S.B. 238	Community and Economic Development Amendments (Sen. G. Davis)
S.B. 239	Amendments to General Government Provisions (Sen. G. Davis)
S.B. 243	Grape Agriculture Development Act (Sen. M. Dmitrich)
S.B. 248	Resort Tax (Sen. M. Waddoups)
S.B. 250	Recycling Zone Amendments (Sen. D. Eastman)

S.B. 251	Banning Foreign Radioactive Waste Storage in Utah (Sen. G. Bell)
S.B. 253	Criminal Code Amendments (Sen. M. Dmitrich)
S.B. 255	Drug and Alcohol Overdose − Amnesty (Sen. F. Fife)
S.B. 257	Public Private Partnerships For Sport Facility (Sen. S. Killpack)
S.B. 261	County Personnel Management Act Amendments (Sen. G. Davis)
S.B. 262	Student Vehicle Emissions (Sen. M. Madsen)
S.B. 263	Amendments to General Government (Sen. G. Davis)
S.B. 265	Resort Tax Amendments (Sen. G. Davis)
S.B. 266	Removal of Certain Cases from County Attorney to Attorney General (Sen. M. Madsen)

Michael G. Waddoups
Senate Rules Committee Chair

SUMMARY OF LEGISLATION
2006 GENERAL SESSION

	House	Senate	Total
Bills Introduced	420	243	663
Bills Passed	210	161	371
Bills Vetoed	3	1	4
Line Items Vetoed	1	1	2
Total Bills Enacted	***207***	***160***	**367**
Joint Resolutions Introduced	28	10	38
Concurrent Resolutions Introduced	6	5	11
House & Senate Resolutions Introduced	4	3	7
Total Resolutions Introduced	***38***	***18***	**56**
Joint Resolutions Passed	8	9	17
Concurrent Resolutions Passed	4	1	5
House & Senate Resolutions Passed	3	3	6
Total Resolutions Passed	***15***	***13***	**28**

STATISTICAL SUMMARY OF GENERAL SESSIONS
1999-2005

	1999	2000	2001	2002	2003	2004	2005
Bills Introduced	641	700	664	664	706	673	670
Bills Passed	384	360	380	380	392	419	370
Bills Vetoed	5	5	3	3	4	6	2
Vetos Overridden	0	0	0	1	0	0	0
Joint Resolutions Introduced	25	31	31	31	40	36	41
Joint Resolutions Passed	12	15	23	23	21	18	32
Concurrent Resolutions Introduced	10	13	17	17	22	21	24
Concurrent Resolutions Passed	7	10	11	11	11	16	20
House & Senate Resolutions Introduced	9	10	14	14	17	14	13
House & Senate Resolutions Passed	8	8	10	10	13	10	9

GOVERNOR'S ACTION ON LEGISLATION
2006 GENERAL SESSION

Vetos

HB 100 Environmental Litigation Bond
HB 148 Parent and Child Amendments
HB 151 Adjustments in Funding for Concurrent Enrollment
SB 70 Process of Approval of Waste Disposal Amendments

Line Item Vetos

SB 4 Supplemental Appropriations Act II
HB 3 Appropriation Adjustments

COMMUNICATIONS FROM THE GOVERNOR

Dear Speaker Curtis and President Valentine: March 21, 2006

After careful consideration and study, I have decided to veto H.B. 100, ENVIRONMENTAL LITIGATION BOND, and have transmitted it to the Lieutenant Governor for filing.

This bill seeks to impose new requirements on Utah corporations that initiate lawsuits under the National Environmental Policy Act of 1969, the Atomic Energy Act of 1964, or any of the twenty other federal environmental statutes referenced in the bill. Specifically, it provides that any Utah corporation filing a federal environmental action and "requesting a stay or injunction to a new permit or approval" must "post a corporate surety bond or cash equivalent" in an "amount that will cover the payment of reasonably foreseeable costs and damages suffered in Utah by any person because of the delay caused by the environmental litigation." H.B. 100 at 3 ln. 67, 5 In. 120−24 (General Session 2006). The amount of the bond would have to be sufficient to cover everything from "employees' lost wages, salaries, and benefits" to "lost net revenue, including local and state tax revenues." *Id.* at 5 ln. 125−26. Any Utah corporation failing to post such a bond upon initiating litigation covered by the bill would be subject to administrative dissolution and other penalties. *See Id.* at 5 ln. 139−46.

I have great respect for the sponsors and proponents of H.B. 100, and admire their sincere desire to make our State a better place. Nevertheless, consistent with my oath to "support, obey and defend the Constitution of the United States and the Constitution of this State," Utah Const. art. IV, § 10, I cannot sign this bill into law. The Supremacy Clause of the U.S. Constitution provides that laws enacted by

Congress "shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the Contrary notwithstanding." U.S. Const. art. VI, § 2. An analogous clause in our State Constitution similarly provides that "Utah is an inseparable part of the Federal Union and the Constitution of the United States is the supreme law of the land." Utah Const. art. I, § 3. These provisions make clear that, where a properly enacted federal law conflicts with a State law, the federal law necessarily preempts its State counterpart.

H.B. 100 conflicts with federal law inasmuch as it seeks to impose additional requirements –*i.e.*, bonding requirements that are not imposed by, and are inconsistent with, federal law on Utah corporations seeking injunctive relief under federal environmental statutes. By so doing, the bill threatens to "'stand [ ] as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.'" *Pacific Gas & Electric Co. v. State Energy Resources Conservation & Development Comm'n*, 461 U.S. 190, 204 (1983) (quoting *Hines v. Davidowitz*, 312 U.S. 52,67(1941)).

For the foregoing reasons, I consider this bill preempted by federal law, and therefore cannot allow it to take effect.

Jon M. Huntsman, Jr.,
Governor

* * *

Dear Speaker Curtis and President Valentine: March 21, 2006

After careful consideration and study, I have decided to veto H.B. 148, PARENT AND CHILD AMENDMENTS, and have transmitted it to the Lieutenant Governor for filing.

This bill seeks to modify the common law doctrine of in loco parentis. The term "in loco parentis" literally means "in the place of a parent," and a person standing in loco parentis "is one who has assumed the status and obligations of a parent without formal adoption." *Gribble v. Gribble*, 583 P.2d 64, 66 (Utah 1978); *accord Searle v. Searle*, 38 P.3d 307, 319 n. 11 (Utah App. 2001). Applying this doctrine, Utah courts have long held that, "'[w]here one stands in loco parentis to another, the rights and liabilities arising out of that relation are, as the words imply, exactly the same as between parent and child.'" *Gribble*, 583 P.2d 66 (quoting *Sparks v. Hinckley*, *5* P.2d 570, 571 (1931)). Thus, a person standing in loco parentis is, in effect, recognized by the courts as a parent. *See Gribble*, 583 P.2d at 66–67.

Rights conferred under the doctrine of in loco parentis are not easily extinguished. Indeed, Utah courts have recognized that "[t]he common law concerning termination of loco parentis status" is such that "only the surrogate parent or the child is able to terminate the status at will, and the rights, duties, and obligations continue as long as they choose to continue the relationship." *Gribble*, 583 P.2d at 67. In other words, once a biological or adoptive parent has allowed a third party to participate actively in the parenting of a child, to such a degree that the third party is deemed to be standing in loco parentis, the third party's rights with respect to the child cannot unilaterally be terminated by a parent. This rule has been the subject of considerable criticism, based on the argument that the desires of a fit parent should always trump those of a third party standing in loco parentis.

This bill attempts to change that rule by providing that a "biological or adoptive parent who has not been adjudicated as an unfit parent may at any time terminate a relationship between a person standing in loco parentis and their minor child or children." H.B. 148 at 3 In. 62−64 (General Session 2006). The bill also provides that in loco parentis "may not be used as the basis for granting" or recognizing various rights or obligations, including "parent−time or visitation," "legal or physical custody," "status as a legal guardian," "child support," or "an adoption." *Id.* at 2 In. 53−59. In short, then, H.B. 148 (1) allows a biological parent to extinguish the rights of a third party standing in loco parentis, and (2) otherwise limits the rights that can be accorded under the doctrine of in loco parentis.

In many respects, I am sympathetic to the concerns that have given rise to this legislation. Like most Utahns, I believe that — absent truly extraordinary circumstances — the rights of biological and adoptive parents to make decisions regarding the upbringing of their minor children must stand above those of third parties, even those standing in loco parentis.

Nevertheless, I believe H.B. 148 goes too far, and would create undesirable consequences not anticipated by the bill's well−meaning proponents. Most notably, H.B. 148 would allow a biological parent to "terminate a[ny] relationship" between a minor child and a person standing in loco parentis, even if the person standing in loco parentis was a step parent who had raised the child from infancy, and the biological parent was a complete stranger to the child. The biological parent's right to exercise that authority unilaterally — casting aside bonds that have been created over the course of many years without so much as a hearing to determine what might be in the best interests of the child — would trump all other considerations unless the biological parent had previously "been adjudicated as an unfit parent." Some absentee parents may in reality be unfit for

the task of parenting, but may not have been formally *adjudicated* as unfit for that task.[1]

Giving such parents an absolute right to terminate a child's relationship with a step parent standing in loco parentis would be a mistake. I must therefore veto this bill. In so doing, however, I remain hopeful and optimistic that the legitimate concerns expressed by this bill's proponents can be addressed through legislation introduced in a future legislative session. I will gladly sign such legislation if it protects parental rights without giving rise to the unintended consequences articulated in this letter.

Jon M. Huntsman, Jr.
Governor

[1]Assume, for example, that a biological father abandons his wife and infant child before the child's first birthday. Assume further that the mother remarries before the child's second birthday, and that her second husband never formally adopts the child, but (I) participates actively in the child's upbringing as if he were the father, and (2) is known to the child as "dad." If the mother were to die ten years after her second marriage, the biological father could rely on H.B. 148 to unilaterally "terminate [the] relationship between" his biological child and his ex−wife's second husband, based on the fact that his ex−wife's second husband was "standing in loco parentis" with respect to the child. H.B. 148 at 3 In. 62−64. Even if the biological father knew nothing about his child, was an unemployed drug addict with a history of violent criminal behavior, and suffered from a debilitating mental illness, his right to "terminate the relationship" between the child and the only father the child had ever known would be assured by H.B. 148, so long as he had not previously been "adjudicated as an unfit parent." *Id.* at 3 In. 62.

It is entirely reasonable to assume that the biological father in that scenario — having abandoned the child before the child's first birthday, and having had no interaction with that child for more than a decade —could be described as an unfit parent who had never been adjudicated as such. Accordingly, I believe it would be entirely unreasonable to sign into law a bill that, on its face, would appear to give such a person the right unilaterally to terminate a child's relationship with a step father standing in loco parentis.

* * *

Dear Speaker Curtis and President Valentine: March 21, 2006

After careful consideration and study, I have decided to veto H.B. 151, ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT, and have transmitted it to the Lieutenant Governor for filing.

I am supportive of the concurrent enrollment program and appreciate the opportunities given to the 25,000 Utah students participating therein. While I recognize the need to manage the growing impact and potential burden on Utah's institutions of higher education, I am concerned that this bill would unfairly preclude some students from participating in concurrent enrollment courses.

Specifically, H.B. 151 provides no mechanism for low income students qualifying for fee waivers to receive financial assistance for participation in concurrent enrollment programs. The bill will impose additional financial burdens on Utah students —*i.e.* an additional university fee of approximately $90, in connection with a university registration fee, a textbook fee, and a district fee. In addition, H.B. 151 allows districts to receive funding only for those students who are enrolled for concurrent credit, potentially denying participation to economically disadvantaged students.

Furthermore, because this year's budget is sufficient to cover concurrent enrollment funding, I feel this bill is unnecessary. In future years, I encourage the creation of a sustainable solution, recommended by the State Superintendent of Public Instruction and the Commissioner of Higher Education, that would not restrict the participation of economically disadvantaged students or rural students.

For these reasons, I have decided to veto this bill. I look forward to participating in future efforts to develop a financially viable and sustainable solution for Utah's concurrent enrollment program.

Jon M. Huntsman, Jr.,
Governor

* * *

Dear President Valentine and Speaker Curtis: February 28, 2006

After careful consideration and study, I have decided to veto S.B. 70, PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS. As contemplated under Art. VII, § 8, cI. I of the Utah Constitution, I have returned the bill to the Senate with my objections.

Utah law currently provides that no person may "own, construct, modify, or operate a radioactive waste facility without" first obtaining (I) clearance from local planning authorities, (2) a license from the Department of Environmental Quality, (3) approval from the Legislature, and (4) approval from the Governor. See Utah Code Ann. § 19−3−105. Existing law also imposes similar restrictions — including a requirement for legislative and gubernatorial approval − on persons seeking to operate a nonhazardous solid or hazardous waste operation facility. See Utah Code Ann, § 19−6−108. By custom and practice, legislative and

gubernatorial approval of such facilities has typically been given through concurrent resolutions. See, e.g., S.C.R. 2 (General Session 2005) (approving a nonhazardous solid waste facility).

If signed into law, S.B. 70 would require that legislative approval of such facilities "be provided" not by resolution, but "by statute." S.B. 70 at 3 In. 78, 7 In. 181 (General Session 2006). The bill would also provide that gubernatorial approval would either (a) be deemed "provided" if the Governor "d[id] not veto the statute providing legislative approval," or (b) become unnecessary if the Legislature chose to override such a veto with the concurrence of two−thirds of the members of each house. Id. at 3 In. 79−84,7 In. 182−87.

By enabling the Legislature to override the Governor's refusal to approve a radioactive, solid nonhazardous, or hazardous waste facility, this bill would incrementally weaken the Governor's authority to protect Utah's image and environment, as well as the health and safety of its 2.5 million residents. I find that unacceptable.

Moreover, I have repeatedly pledged to resist efforts to turn Utah into our nation's radioactive waste dumping ground. Consistent with that pledge, I cannot consent to a provision that, in my opinion, would potentially lead to the proliferation of radioactive waste disposal facilities within our State.

Jon M. Huntsman, Jr.,
Governor

* * *

Dear President Valentine and Speaker Curtis: March 21, 2006

This is to inform you that on March 21, 2006, I vetoed the following item of appropriation in S.B. 4, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, and have transmitted the bill to the Lieutenant Governor for filing.

ITEM 163 To Department of Transportation — Construction Management

From General Fund, One−time	100,000,000
Schedule of Programs:	
State Construction — New	100,000,000

There is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah. It is the

intent of the Legislature that the Department of Transportation expend a significant portion of this appropriation for corridor preservation. It is the intent of the Legislature that the remainder of the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last, the construction of State highways, as finding permits. It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes. It is the intent of the Legislature that the Department of Transportation use $10 million of the corridor preservation monies for a match program with local governments and private entities.

This item of appropriation requires technical corrections to funding allocations. I intend to include this item as part of a Special Session in the near future to make the corrections.

Jon M. Huntsman, Jr.,
Governor

* * *

Dear President Valentine and Speaker Curtis: March 21, 2006

This is to inform you that on March 21, 2006, I vetoed the following items of appropriation in H.B. 3, APPROPRIATION ADJUSTMENTS, and have transmitted the bill to the Lieutenant Governor for filing.

ITEM 15 To Legislature — Office of Legislative Research and General Counsel

From General Fund, One-time	150,000
Schedule of Programs:	
Administration	150,000

This item of appropriation is a duplicate of Section 13 in S.B. 5 AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET.

ITEM 133 To Department of Transportation — Construction Management

From General Fund	90,000,000
From Transportation Fund	900,000
Schedule of Programs:	
State Construction — New	45,900,000

Transportation Investment Fund of 2005	45,000,000

ITEM 134 To Department of Transportation — Centennial Highway Program

From General Fund, One-time	101,000,000
From Transportation Fund	2,087,000
From Federal Funds	(3,621,000)
From Dedicated Credits Revenue	185,000
From Debt Service	(1,583,400)
From Designated Sales Tax	(209,000)
From Beginning Nonlapsing Appropriation Balances	(65,859,000)
From Closing Nonlapsing Appropriation Balances	17,807,000
Schedule of Programs:	
Centennial Highway Program	49,806,600

These two items of appropriation require technical corrections to funding allocations. I intend to include these two items as part of a Special Session to make the corrections.

Jon M. Huntsman, Jr.,
Governor

SUBJECT INDEX

ALL SENATE AND HOUSE BILLS

AND RESOLUTIONS

(P) − Passed & (F) − Failed

2006 GENERAL SESSION

FIFTY−SIXTH LEGISLATURE

January 16 through March 1, 2006

ABORTION

Abortion by a Minor − Parental Notification and Consent,
Gibson, K. . . . . HB 85 (P)
Unborn Child Pain Prevention Act, Ray, P. . . . . HB 222 (F)

ABUSE

Child Welfare − Licensing and Management Information
Systems, Harper, W. . . . . HB 25 (P)
Utah Child Abuse Prevention Board, Ray, P. . . . . HB 22 (F)

ADMINISTRATIVE RULES AND PROCEDURES

Administrative Rule Criminal Penalty Amendments, Ure, D. . . . . HB 317 (F)
Administrative Rulemaking Authority Amendments,
Stephenson, H. . . . . SB 158 (P)
Administrative Rules Procedure Amendments, Ure, D. . . . . HB 316 (P)
Administrative Rules Reauthorization, Stephenson, H. . . . . SB 26 (P)
Impact of Administrative Rules on Small Businesses,
Stephenson, H. . . . . SB 157 (F)

ADMINISTRATIVE SERVICES

Surplus Property Amendments, Knudson, P. . . . . SB 132 (P)

ADOPTION

Adoption Amendments, Hardy, A. . . . . HB 130 (P)
Adoption and Vital Statistics Amendments, Holdaway, K. . . . . HB 89 (F)
Insurance Amendments − Adoption Indemnity Benefit,
Newbold, M. . . . . HB 199 (P)

ADVERTISING

Ethics in Dental Advertising, Knudson, P. . . . . SB 108 (P)

AGRICULTURE

Brand Inspection Amendments, Ure, D. . . . . HB 211 (F)
Conservation Easement Restricted Accounts, Evans, B. . . . . SB 67 (P)
County Option Sales and Use Tax for Agricultural Land
and Open Land, Buttars, C. . . . . HB 126 (F)
Criminal Penalty for Animal Cruelty, Wyatt, S. . . . . HB 61 (F)
Rangeland Improvement Act, Johnson, B. . . . . HB 145 (P)
Resolution Encouraging Family Agricultural Production,
Menlove, R. . . . . HJR 27 (F)

Sales and Use Tax Exemption for Sales of Certain
Agricultural Products, Snow, G. . . . . HB 54 (P)
Special Revenue Fund for Salinity Offset Program, Knudson, P. . . . SB 228 (P)
Utah Dairy Act Amendments, Johnson, B. . . . . HB 69 (F)
Vehicles Used for Agricultural Purposes, Gibson, K. . . . . HB 383 (P)
Wildlife Damage Compensation Act Amendments, Buttars, C. . . . . HB 287 (P)

AIR

Division of Air Quality − Bond for Stay of an Order, Tilton, A. . . . HB 259 (F)

AIRPORTS

Airport Security Amendments, Hughes, G. . . . . HB 110 (P)

ALCOHOLIC BEVERAGE CONTROL

Alcohol Beverage Control Amendments, Knudson, P. . . . . SB 124 (P)
Alcoholic Beverage Amendments − Eliminating
Alcohol Sales to Youth, Knudson, P. . . . . SB 58 (P)
Sales and Use Tax Exemption for Certain Admissions to
or Rights to Use the Premises of a Private Club, Dmitrich, M. . SB 154 (F)

ALCOHOLIC BEVERAGES

Alcohol Beverage Control Amendments, Knudson, P. . . . . SB 124 (P)
Alcoholic Beverage Amendments − Eliminating Alcohol
Sales to Youth, Knudson, P. . . . . SB 58 (P)
Resolution Regarding the Harmful Effects of Tobacco,
Alcohol, and Drugs on Youth, Hansen, N. . . . . HCR 3 (P)
Sales and Use Tax Exemption for Certain Admissions to or
Rights to Use the Premises of a Private Club, Dmitrich, M. . . . SB 154 (F)

ANTIDISCRIMINATION

Commission on Racial and Ethic Fairness, Bourdeaux, D. . . . . HB 104 (F)
Utah's Small Business Equal Access to Justice
Act Amendments, Romero, R. . . . . HB 307 (F)

ANTITRUST LAW

Civil Antitrust Amendments, Hillyard, L. . . . . SB 16 (P)

APPROPRIATIONS

Alcoholic Beverage Amendments − Eliminating Alcohol
Sales to Youth, Knudson, P. . . . . SB 58 (P)

Appropriation Adjustments, Bigelow, R. . . . . HB 3 (P)
Appropriation for Highly Qualified Teachers, Holdaway, K. . . . . HB 285 (P)
Current Fiscal Year Supplemental
Appropriations Act, Bigelow, R. . . . . HB 1 (P)
Education Funding Amendments, Dee, B. . . . . HB 340 (F)
Executive Compensation Amendments, Hillyard, L. . . . . SB 2 (F)
General Fund Surplus Appropriation for Water
Development Projects, Hillyard, L. . . . . SB 39 (F)
Joint Rules Resolution − Base Budget Process, Bigelow, R. . . . . HJR 3 (P)
New Fiscal Year Supplemental Appropriations Act, Hillyard, L. . . . . SB 4 (P)
Science and Technology Education Program, Knudson, P. . . . . SB 187 (P)
State Agency and Higher Education Base Budget
Appropriations, Hillyard, L. . . . . SB 1 (P)
State Agency and Higher Education Compensation
Amendments, Bigelow, R. . . . . HB 4 (P)
U Star Initiative, Mansell, L. A. . . . . SB 75 (P)

ARTS

State−owned Art Collections Inventory Program, Evans, B. . . . . SB 85 (P)

ATTORNEYS

County Government Amendments, Peterson, D. . . . . SB 249 (P)
Prosecution and Prevention of Child Pornography
Offenses Amendments, Bigelow, R. . . . . HB 170 (P)
Removal of County or Prosecution District
Officer Amendments, Wyatt, S. . . . . HB 274 (P)

BANKRUPTCY

Uniform Debt−Management Services Act, Hillyard, L. . . . . SB 79 (P)

BENEFITS/CLAIMS, HEALTH

Additional State Retirement Benefit, Shurtliff, L. . . . . HB 58 (F)

BOATING

Boating Registration Fee, Cox, D. . . . . HB 305 (F)
Motorboat Liability Insurance Amendments, Gibson, K. . . . . HB 242 (P)

BOILERS

Boiler and Elevator Safety Provisions, Mayne, E. . . . . SB 93 (P)

BONDS

Auditing of Leases Related to Revenue Bonds, Hansen, N. . . . . HB 113 (F)

General Obligation Bond Authorization for Highways, Ferrin, J. . . HB 369 (F)
Local Government Amendments, Dee, B. . . . . HB 44 (P)
Mechanics' Lien and Payment Amendments, Jenkins, S. . . . . SB 161 (P)
Moratorium on Issuing Sales Tax Revenue Bonds by
Local Governments, Hillyard, L. . . . . SB 166 (F)
Revenue Bond and Capital Facilities Authorizations and
General Obligation Bond Authorization Amendments,
Hickman, J. . . . . SB 236 (P)
Revenue Bonds − Auditing of Public−private Contracts,
Bramble, C. . . . . SB 258 (F)
State Tax Commission Bonding and Licensing
Amendments, Harper, W. . . . . HB 291 (P)
U Star Initiative, Mansell, L. A. . . . . SB 75 (P)
Veterans Nursing Home − Extension Bond
Authorization, Hardy, A. . . . . HB 461 (P)

BUDGETING

Audit of State Budgets, Christensen, L. . . . . HB 367 (F)
Governor's Budget − Wage and Benefit Increases to Be
Considered for Soil Conservation District, Gibson, K. . . . . HB 296 (P)
Notice Requirements for Budget Transfers from
Utility Funds, Tilton, A. . . . . HB 36 (P)
Office of State Debt Collection Amendments, Knudson, P. . . . . SB 214 (P)
Reporting of Tax Information, McCoy, S. . . . . SB 208 (F)
State Budget Provisions, Dayton, M. . . . . HB 352 (F)
State Office of Rehabilitation − Budget
Recommendations, Last, B. . . . . HB 260 (P)

BUSINESS

Access to Point−of−sale Devices, Barrus, R. . . . . HB 432 (F)
Alcohol Beverage Control Amendments, Knudson, P. . . . . SB 124 (P)
Alcoholic Beverage Amendments − Eliminating Alcohol
Sales to Youth, Knudson, P. . . . . SB 58 (P)
Amendments Related to Lending, Hogue, D. . . . . HB 462 (F)
Amendments to Child Protection Registry, Hutchings, E. . . . . HB 417 (P)
Amendments to Pete Suazo Athlete Commission, Mayne, E. . . . . SB 232 (P)
Amendments to Sexually Explicit Business and Escort
Service Fund, Cosgrove, T. . . . . HB 379 (F)
Authorization of Opinion Questions to Voters, Mayne, E. . . . . SB 131 (F)
Automated Teller Machine Fees, Walker, M. . . . . HB 365 (P)
Boiler and Elevator Safety Provisions, Mayne, E. . . . . SB 93 (P)

Business Organization and Division of Corporations and
Commercial Code Amendments, Bell, G. . . . . SB 137 (P)
Child Protection Registry Amendments, Dmitrich, M. . . . . SB 206 (F)
Commercial Transactions of Personal Property, Lockhart, R. . . . . HB 133 (P)
Commission Payment Act, Ure, D. . . . . HB 368 (F)
Community Association Act Amendments, Waddoups, M. . . . . SB 168 (P)
Construction Standard Amendments, Morley, M. . . . . HB 160 (P)
Consumer Credit Code Amendments, Bramble, C. . . . . SB 252 (P)
Consumer Credit Protection, Walker, C. . . . . SB 71 (P)
Consumer Protection Agency, Lawrence, M. S. . . . . HB 65 (P)
Consumer Sales Practices Act Amendments, Lawrence, M. S. . . . . HB 428 (P)
Continuing Education in Insurance, Hatch, T. . . . . SB 115 (P)
Corporate Franchise and Income Taxes − Apportionment of
Business Income to Utah and Deduction of Net Losses
by a Unitary Group, Harper,W. . . . . HB 53 (F)
Corporations − Professional Services Amendment, Hillyard, L. . . . SB 165 (P)
Costs of Intervention in Public Service Commission
Proceedings, Gowans, J. . . . . HB 191 (F)
Department of Commerce − Demographic Data Tracking,
Wheatley, M. . . . . HB 236 (F)
Department of Financial Institutions Enforcement of
Applicable Law, Hillyard, L. . . . . SB 162 (P)
Department of Financial Institution's Fees, Hillyard, L. . . . . SB 116 (P)
Department of Technology Services Personnel Transfer −
Supplemental Appropriation, Clark, D. . . . . HB 49 (P)
Direct Sales Amendments, Madsen, M. . . . . SB 182 (P)
Division of Consumer Protection Amendments, Eastman, D. . . . . SB 147 (P)
Energy Policy Amendments, Barrus, R. . . . . HB 46 (P)
Environmental Litigation Bond, Tilton, A. . . . . HB 100 (P)
Filing Liens, Clark, S. . . . . HB 26 (P)
Gift Certificates − Limiting Expiration Date, Wiley, L. . . . . HB 324 (F)
Groundwater Management Plan, Ure, D. . . . . HB 228 (P)
Home Inspection Standards, McCoy, S. . . . . SB 44 (F)
Homeowners Association Provisions, Hickman, J. . . . . SB 90 (F)
Hospital Lien Amendments, Urquhart, S. . . . . HB 108 (F)
Impact of Administrative Rules on Small Businesses,
Stephenson, H. . . . . SB 157 (F)
Insurance Department − Sunset Amendments
and Revisions, Jenkins, S. . . . . SB 14 (P)
Insurance Law Amendments, Kiser, T. . . . . HB 272 (P)
Insurance Licensing Amendments, Dunnigan, J. . . . . HB 233 (P)

Insurance Policy and Contract Law Amendments, Kiser, T. . . . . HB 308 (P)
Insurance Related Investment Amendments, Dunnigan, J. . . . . HB 33 (P)
Insurance Reports, Tables, and Examination Amendments,
Dunnigan, J. . . . . HB 34 (P)
Irrigation Companies − Nonprofit Corporation
Amendments, Gowans, J. . . . . HB 444 (F)
Joint Tenancy Amendments, Hatch, T. . . . . SB 130 (P)
Lenders Registration Acts Amendments, Mayne, E. . . . . SB 76 (F)
Life Insurance and Annuity Law Amendments, Dunnigan, J. . . . . HB 32 (P)
Limited Liability Company Amendments, Adams, J. S. . . . . HB 127 (P)
Mechanics' Lien Amendments, Romero, R. . . . . HB 171 (F)
Mechanics' Lien and Payment Amendments, Jenkins, S. . . . . SB 161 (P)
Minimum Wage Amendments, Mayne, E. . . . . SB 43 (F)
Minimum Wage Revisions, Hansen, N. . . . . HB 313 (F)
Motor Vehicle Lease Agreements, Madsen, M. . . . . SB 180 (P)
Multi−channel Video or Audio Service Tax − County or
Municipality Franchise Fee Tax Credit, Goodfellow, B. . . . . SB 32 (F)
Nonprofit Entity Amendments, Hillyard, L. . . . . SB 84 (P)
Organized Retail Theft Offenses, Ray, P. . . . . HB 321 (F)
Pete Suazo Athletic Commission Amendments, Hughes, G. . . . . HB 460 (F)
Plumbing License Qualifications Amendments, Hellewell, P. . . . . SB 68 (P)
Price Controls During Emergencies Amendments, Arent, P. . . . . SB 66 (P)
Producer and Affiliate Disclosure Amendments, Evans, B. . . . . SB 114 (F)
Property Rights Ombudsman, Mansell, L. A. . . . . SB 268 (P)
Protection of Information in Consumer Credit Databases,
Walker, C. . . . . SB 69 (P)
Real Estate Amendments, Snow, G. . . . . HB 315 (P)
Real Estate Related Regulation, Transactions, and
Construction, Ray, P. . . . . HB 159 (F)
Real Property − Partial Release or Partial Reconveyance,
Hatch, T. . . . . SB 205 (P)
Real Property Disclosures, Hughes, G. . . . . HB 196 (F)
Revolving Credit Line Trust Deed, Hatch, T. . . . . SB 128 (P)
Right to Work Laws, Clark, S. . . . . HB 177 (F)
Sales and Use Tax − Attachment of Tangible Personal Property
to Real Property, Stephenson, H. . . . . SB 89 (P)
Sales and Use Tax − Manufacturing and Industry Exemptions
Amendments, Stephenson, H. . . . . SB 31 (P)
Sales and Use Tax Exemption for Semiconductor Fabricating,
Processing, Research, or Development Materials, Bramble, C. . . SB 30 (P)

Sales and Use Tax Exemptions and Refund for Certain Business Inputs, Stephenson, H. . . . . SB 33 (F)
Sales and Use Taxation of Amusement Devices and Cleaning or Washing of Tangible Personal Property, Harper, W. . . . . HB 51 (P)
Securities Amendments, Bramble, C. . . . . SB 269 (F)
Service Contracts Act Amendments, Waddoups, M. . . . . SB 191 (P)
Uniform Commercial Code − Warehouse Receipts, Bills of Lading, and Other Documents of Title, Hillyard, L. . . . . SB 109 (P)
Uniform Debt−Management Services Act, Hillyard, L. . . . . SB 79 (P)
Utah Athletic Foundation Resolution, Ure, D. . . . . HJR 30 (F)
Utah Consumer Credit Code Amendments, Knudson, P. . . . . SB 123 (P)
Utah Employment Act, Donnelson, G. . . . . HB 179 (F)
Utah Small Business Health Plan, Mascaro, S. . . . . HB 122 (F)
Voiding Transactions Against Public Policy, Christensen, L. . . . . HB 304 (F)
Workers' Compensation for the State, Snow, G. . . . . HB 72 (P)
Workers' Compensation Studies Including Coverage of Firefighters and Drug Officers, Murray, J. . . . . HB 9 (P)

CAMPAIGN FINANCE

Campaign Finance and Reporting Amendments, Bramble, C. . . . . SB 254 (F)
Personal Use of Campaign Funds, Hale, K. . . . . SB 73 (F)

CHARITIES

County Assistance to Nonprofit Entities, Thomas, D. . . . . SB 101 (P)
Liability Protections for Charity Care, Knudson, P. . . . . SB 133 (F)
Nonprofit Entity Amendments, Hillyard, L. . . . . SB 84 (P)

CHARTER SCHOOLS

Local Land Use Provisions Relating to Schools, Ferrin, J. . . . . HB 172 (P)

CHILD CARE

Amendments to Child Care, Hellewell, P. . . . . SB 86 (P)
Child Care Exemptions Amendments, Hellewell, P. . . . . SB 144 (F)
Child Care Licensing Restrictions, Lawrence, M. S. . . . . HB 254 (P)
Child Care Revisions, Buxton, D. G. . . . . HB 263 (P)

CHILD RESTRAINTS

Child Restraint Device Amendments, Cosgrove, T. . . . . HB 111 (F)

CHILD SUPPORT

Child Support Amendments, Fowlke, L. . . . . HB 295 (P)

Child Support Bond, Fowlke, L. . . . . HB 360 (F)
Child Support Guidelines, Bell, G. . . . . SB 195 (F)
Driver License Privilege Suspension for Failure to Pay
Child Support, Fisher, Julie . . . . . HB 83 (F)
Office of Recovery Services Fee, Tilton, A. . . . . HB 312 (F)

CHILD WELFARE

Changes to Definitions of a Child and a Minor, Harper, W. . . . . HB 103 (P)
Child Protection − Clandestine Laboratory Operation,
Hutchings, E. . . . . HB 219 (P)
Child Protection − Gang Association, Hutchings, E. . . . . HB 220 (F)
Child Protection Amendments, Bell, G. . . . . SB 7 (P)
Child Protection Registry Amendments, Dmitrich, M. . . . . SB 206 (F)
Child Welfare − Licensing and Management
Information Systems, Harper, W. . . . . HB 25 (P)
Child Welfare Amendments, Tilton, A. . . . . HB 239 (F)
Child Welfare Revisions, Harper, W. . . . . HB 21 (P)
Office of Child Welfare Parental Defense Amendments,
Harper, W. . . . . HB 23 (P)
Utah Child Abuse Prevention Board, Ray, P. . . . . HB 22 (F)

CHILDREN

Amendments to Child Protection Registry, Hutchings, E. . . . . HB 417 (P)
Changes to Definitions of a Child and a Minor, Harper, W. . . . . HB 103 (P)
Child Custody Determinations, Fowlke, L. . . . . HB 245 (P)
Child Protection − Clandestine Laboratory Operation,
Hutchings, E. . . . . HB 219 (P)
Child Protection Amendments, Bell, G. . . . . SB 7 (P)
Child Protection and Parental Rights Amendments, Harper, W. . . . HB 364 (F)
Child Protection Registry Amendments, Dmitrich, M. . . . . SB 206 (F)
Child Welfare Amendments, Tilton, A. . . . . HB 239 (F)
Child Welfare Revisions, Harper, W. . . . . HB 21 (P)
Children's Justice Center Funding, Buttars, D. C. . . . . SB 216 (F)
Clarifications to Guardian Ad Litem, Eastman, D. . . . . SB 213 (F)
Continuing Parental Rights in Disabled Children, Christensen, L. . HB 433 (F)
Emancipation of a Minor, McGee, R. . . . . HB 30 (P)
Guardian Ad Litem Amendments, Christensen, L. . . . . HB 174 (F)
Health Care Amendments for Foster Children, Hogue, D. . . . . HB 288 (P)
Joint Custody Amendments, Christensen, L. . . . . HB 398 (F)
Medicaid Resource Standards and Methodologies, Hogue, D. . . . . HB 197 (F)
Medical Recommendations for Children, Morley, M. . . . . HB 299 (F)

Out−of−state Parent−time Amendments, Fowlke, L. . . . . HB 278 (P)
Parent and Child Amendments, Christensen, L. . . . . HB 148 (P)
Protective Order Amendments, Fowlke, L. . . . . HB 290 (F)
Resolution Encouraging Utah Schools to Educate Children
Regarding Risks of Sun Exposure, Arent, P. . . . . SR 02 (P)
Sexual Offenses Against Children − Sentencing
Amendments, Ray, P. . . . . HB 161 (P)
Utah Child Abuse Prevention Board, Ray, P. . . . . HB 22 (F)

CLEAN FUELS

Clean Fuel Vehicle Fund Amendments, Gowans, J. . . . . HB 93 (P)

CODE OF CRIMINAL PROCEDURE

Bailbond Amendments, Hughes, G. . . . . HB 403 (P)
Citation Amendments, Walker, M. . . . . HB 106 (F)
Criminal Procedure Amendment, Wyatt, S. . . . . HB 195 (P)
Plea in Abeyance Fee, Lawrence, M. S. . . . . HB 247 (P)
Providing for Indigent Defense, Bell, G. . . . . SB 149 (P)
Restitution Amendments, Bell, G. . . . . SB 150 (P)

COLLECTIVE BARGAINING

Right to Work Laws, Clark, S. . . . . HB 177 (F)

COMMERCE AND TRADE

Access to Point−of−sale Devices, Barrus, R. . . . . HB 432 (F)
Amendments to Pete Suazo Athlete Commission, Mayne, E. . . . . SB 232 (P)
Anticamcorder Piracy, Bell, G. . . . . SB 201 (F)
Consumer Credit Protection, Walker, C. . . . . SB 71 (P)
Consumer Sales Practices Act Amendments, Lawrence, M. S. . . . . HB 428 (P)
Environmental Litigation Bond, Tilton, A. . . . . HB 100 (P)
Gift Certificates − Limiting Expiration Date, Wiley, L. . . . . HB 324 (F)
Securities Amendments, Bramble, C. . . . . SB 269 (F)
Utah International Trade Commission, Allen, S. . . . . HB 39 (P)

COMMERCIAL DRIVER LICENSE (CDL)

Amendments to Commercial Driver License Provisions,
Alexander, J. . . . . HB 140 (P)
Commercial Driver License Amendments, Killpack, S. . . . . SB 13 (P)

COMMITTEES, LEGISLATIVE

Information Available to Senate Judicial Confirmation
Committee, Buttars, D. C. . . . . SB 142 (F)

COMMUNITY AND CULTURE DEVELOPMENT

Community Impact Amendments, Snow, G. . . . . HB 97 (F)
Navajo Trust Fund Amendments, King, B. . . . . HB 152 (P)

COMMUNITY AND ECONOMIC DEVELOPMENT

Development Grants for Libraries, Noel, M. . . . . HB 251 (F)
Pete Suazo Athletic Commission Amendments, Hughes, G. . . . . HB 460 (F)
Utah Technology Industry Council Revisions, Litvack, D. . . . . HB 50 (P)

COMMUNITY, CULTURE, AND ECONOMIC DEVELOPMENT

Business Resource Centers, Knudson, P. . . . . SB 244 (F)
Centers of Excellence Amendments, Hatch, T. . . . . SB 112 (P)
Coordination with Tribal Leaders Amendments, Evans, B. . . . . SB 25 (P)
Department of Commerce − Demographic Data Tracking,
Wheatley, M. . . . . HB 236 (F)
Department of Community and Culture Amendments, Knudson, P. . SB 22 (P)
Development Grants for Libraries, Noel, M. . . . . HB 251 (F)
Economic Development − Government Procurement
Contracts, Adams, J. S. . . . . HB 458 (P)
Economic Development − Sunset Modifications, Wallace, P. . . . . HB 71 (P)
Economic Development Incentives, Dee, B. . . . . HB 131 (P)
Expenditures for Tourism, Recreation, Cultural, and
Convention Facilities and Activities, Adams, J. S. . . . . HB 40 (P)
Governor's Rural Partnership Board Amendments, Hatch, T. . . . . SB 120 (F)
Office of Museum Services, Arent, P. . . . . SB 23 (P)
Preservation of and Access to State Publications, Noel, M. . . . . HB 41 (P)
State Antiquities and Historic Sites Amendments, Johnson, B. . . . . HB 139 (P)

CONSTITUTION

Constitutional Revision Commission Amendments, Knudson, P. . . SB 189 (P)

CONSTRUCTION INDUSTRIES

Certification of Crane Operators, Davis, G. . . . . SB 92 (P)
Construction Standard Amendments, Morley, M. . . . . HB 160 (P)
Filing Liens, Clark, S. . . . . HB 26 (P)
Local Land Use Requirements, Morley, M. . . . . HB 132 (P)
Mechanics' Lien Amendments, Romero, R. . . . . HB 171 (F)
Mechanics' Lien and Payment Amendments, Jenkins, S. . . . . SB 161 (P)
Real Estate Related Regulation, Transactions,
and Construction, Ray, P. . . . . HB 159 (F)

Regulation of Construction Industry, Wiley, L. . . . . HB 325 (F)
Transportation Construction Amendments, Fisher, Julie . . . . . HB 267 (P)

CONSUMER CREDIT CODE

Consumer Credit Code Amendments, Bramble, C. . . . . SB 252 (P)
Utah Consumer Credit Code Amendments, Knudson, P. . . . . SB 123 (P)

CONSUMER PROTECTION

Consumer Access to Health Care Provider Charges,
Hutchings, E. . . . . HB 301 (F)
Consumer Credit Protection, Walker, C. . . . . SB 71 (P)
Consumer Protection Agency, Lawrence, M. S. . . . . HB 65 (P)
Consumer Sales Practices Act Amendments, Lawrence, M. S. . . . . HB 428 (P)
Contact Lens Consumer Protection Act, Bramble, C. . . . . SB 176 (P)
Direct Sales Amendments, Madsen, M. . . . . SB 182 (P)
Division of Consumer Protection Amendments, Eastman, D. . . . . SB 147 (P)
Gift Certificates − Limiting Expiration Date, Wiley, L. . . . . HB 324 (F)
Price Controls During Emergencies Amendments, Arent, P. . . . . SB 66 (P)
Protection of Information in Consumer Credit Databases,
Walker, C. . . . . SB 69 (P)
Uniform Debt−Management Services Act, Hillyard, L. . . . . SB 79 (P)

CONTRACTS

Commission Payment Act, Ure, D. . . . . HB 368 (F)
Service Contracts Act Amendments, Waddoups, M. . . . . SB 191 (P)
Voiding Transactions Against Public Policy, Christensen, L. . . . . HB 304 (F)

CONTROLLED SUBSTANCES

Child Protection − Clandestine Laboratory Operation,
Hutchings, E. . . . . HB 219 (P)
Controlled Substance Amendments, Oda, C. . . . . HB 60 (P)
Controlled Substance Possession Amendment, Hardy, A. . . . . HB 243 (F)
Driving with a Controlled Substance in the Body −
Amendments, Walker, C. . . . . SB 51 (P)
Enforcement of Controlled Substance Laws, Hogue, D. . . . . HB 362 (F)
Law Enforcement Drug Task Force Funding, Hutchings, E. . . . . HB 149 (F)
Medicaid Generic Drug Reimbursement Amendments,
Walker, M. . . . . HB 105 (P)
Methamphetamine − Restriction on Components, Morley, M. . . . . HB 429 (F)
Prescribing Practices for Schedule II Drugs, Knudson, P. . . . . SB 104 (F)

Resolution Urging Congress to Appropriate Adequate Funds for Medicare Prescription Drug Coverage Counseling, Cosgrove, T. . . . . HJR 26 (F)

CORPORATE TAX

Corporate Franchise and Income Tax Credits for Biodiesel Fuel Production, Noel, M. . . . . HB 385 (F)
Corporate Franchise and Income Taxes − Apportionment of Business Income to Utah and Deduction of Net Losses by a Unitary Group, Harper, W.. . . . . HB 53 (F)

CORPORATIONS

Business Organization and Division of Corporations and Commercial Code Amendments, Bell, G. . . . . SB 137 (P)
Corporations − Professional Services Amendment, Hillyard, L. . . . SB 165 (P)
Irrigation Companies − Nonprofit Corporation Amendments, Gowans, J. . . . . HB 444 (F)

COUNTIES

Amendments to County and Municipal Land Use Provisions, Bell, G. . . . . SB 155 (P)
Auditing of Leases Related to Revenue Bonds, Hansen, N. . . . . HB 113 (F)
Changes to Local Government Provisions, Mansell, L. A. . . . . SB 267 (P)
County Assistance to Nonprofit Entities, Thomas, D. . . . . SB 101 (P)
County Director of Personnel Management Amendments, Hatch, T. . . . . SB 246 (P)
County Government Amendments, Peterson, D. . . . . SB 249 (P)
County Jail Work Release Process Amendments, Wyatt, S. . . . . HB 153 (F)
County Officer Amendments, Thomas, D. . . . . SB 100 (P)
County Officer Revisions, Walker, C. . . . . SB 105 (F)
County Officers Amendments, Menlove, R. . . . . HB 57 (P)
County Ordinance Amendments, Wiley, L. . . . . HB 210 (P)
County Recorder Amendments, Thomas, D. . . . . SB 99 (P)
Density Credit for Land Donated to School District, Cox, D. . . . . HB 319 (F)
Eminent Domain Limitation on Political Subdivisions, Ferry, B. . . HB 168 (F)
Industrial Protection Act, Menlove, R. . . . . HB 241 (P)
Inherent Risks of Participating in Recreational Activities on Property Owned by Local Government, Bowman, D. . . . . HB 207 (P)
Local Government Land Use and Impact Fee Revisions, Mansell, L. A. . . . . SB 170 (F)
Local Governments Form of Government, Wallace, P. . . . . HB 206 (F)

Local Governments Restrictions on Limiting Certain Fees,
Hughes, G. . . . . HB 250 (P)
Local Land Use Provisions Relating to Schools, Ferrin, J. . . . . HB 172 (P)
Local Land Use Requirements, Morley, M. . . . . HB 132 (P)
Performance Audits of Local Governments, Wallace, P. . . . . HB 135 (F)
Removal of County or Prosecution District Officer
Amendments, Wyatt, S. . . . . HB 274 (P)
Standardizing Documents Filed with the County Recorder,
Frank, C. . . . . HB 448 (F)
Surplus Lands Amendments, Walker, M. . . . . HB 446 (P)
Township Amendments, Christensen, L. . . . . HB 29 (P)
Transportation Funding Amendments, Dougall, J. . . . . HB 162 (F)
Vacating or Changing a Subdivision Plat, Knudson, P. . . . . SB 127 (P)
Vehicles Used for Agricultural Purposes, Gibson, K. . . . . HB 383 (P)

COUNTY GOVERNMENT

County Officers Amendments, Menlove, R. . . . . HB 57 (P)

COURT PROCEDURE

Comparative Negligence Amendments, Wyatt, S. . . . . HB 413 (F)
Domestic Violence and Dating
Violence Amendments, Litvack, D. . . . . HB 10 (F)
Emancipation of a Minor, McGee, R. . . . . HB 30 (P)
Garnishment Fees, Mascaro, S. . . . . HB 268 (F)
Prohibition of Contingent Fees for
Expert Witnesses, Thomas, D. . . . . SB 103 (P)
Uniform Mediation Act, Hillyard, L. . . . . SB 61 (P)

COURT RULES

Punitive Damages − Discovery of Wealth, Bell, G. . . . . SB 148 (P)

COURTS

Comparative Negligence Amendments, Wyatt, S. . . . . HB 413 (F)
Costs of Divorce, Wallace, P. . . . . HB 322 (P)
District Court Judge, Madsen, M. . . . . SB 159 (P)
Information Available to Senate Judicial Confirmation
Committee, Buttars, D. C. . . . . SB 142 (F)
Judicial Conduct Commission Amendments, Waddoups, M. . . . . SB 62 (P)
Juvenile Court Judge, Hogue, D. . . . . HB 249 (F)
Lien Duration of a Foreign Judgment, Hatch, T. . . . . SB 134 (P)

Personal Property and Personal Injury Claim, Bell, G. . . . . SB 230 (F)
Prohibition of Contingent Fees for Expert Witnesses, Thomas, D. . SB 103 (P)
Protection of Certain Voter Information, Hillyard, L. . . . . SB 110 (F)
Providing for Indigent Defense, Bell, G. . . . . SB 149 (P)
Punitive Damages − Discovery of Wealth, Bell, G. . . . . SB 148 (P)
Resolution Regarding Judicial Power, Hughes, G. . . . . HJR 17 (F)
Sentencing Amendments, Urquhart, S. . . . . HB 402 (F)
Statement Under Penalty of Perjury, McCoy, S. . . . . SB 163 (F)

CREDIT

Consumer Credit Protection, Walker, C. . . . . SB 71 (P)
Protection of Information in Consumer Credit Databases,
Walker, C. . . . . SB 69 (P)

CRIMINAL CODE

Administrative Rule Criminal Penalty Amendments, Ure, D. . . . . HB 317 (F)
Aggravated Murder Amendment, Wyatt, S. . . . . HB 208 (P)
Antiphishing Provisions, Arent, P. . . . . SB 52 (P)
Antitrust Exemption, Wheeler, R. . . . . HB 333 (P)
Citation Amendments, Walker, M. . . . . HB 106 (F)
Criminal Law Amendments, Dougall, J. . . . . HB 187 (F)
Criminal Penalty Amendments, Litvack, D. . . . . HB 90 (P)
Criminal Penalty for Animal Cruelty, Wyatt, S. . . . . HB 61 (F)
Criminal Procedure Amendment, Wyatt, S. . . . . HB 195 (P)
Disclosure of Conflict of Interest, Romero, R. . . . . HB 255 (F)
DNA Exoneration Testing, Buttars, D. C. . . . . SB 264 (F)
Drug Offender Reform Act Amendments, Killpack, S. . . . . SB 185 (P)
Juvenile Offenses − Diversion Amendment, Arent, P. . . . . SB 167 (P)
Malik's Law − Homicide Amendment, Fife, F. . . . . SB 125 (F)
Material Harmful to Minors Amendments, Hogue, D. . . . . HB 257 (F)
Methamphetamine − Restriction on Components, Morley, M. . . . . HB 429 (F)
Organized Retail Theft Offenses, Ray, P. . . . . HB 321 (F)
Probate Code Amendments Regarding Homicide, Morgan, K. . . . . HB 63 (P)
Protective Order Amendments, Fowlke, L. . . . . HB 290 (F)
Real Estate Related Regulation, Transactions,
and Construction, Ray, P. . . . . HB 159 (F)
Repeal of Libel Provisions, McCoy, S. . . . . SB 122 (F)
Sentencing Amendments, Urquhart, S. . . . . HB 402 (F)
Sentencing for First Degree Felony Murder, Fowlke, L. . . . . HB 102 (P)
Statute of Limitations on Bodily Injury, Oda, C. . . . . HB 70 (P)
Tampering with Evidence − Amendments, Wallace, P. . . . . HB 421 (F)

Trespass Law Amendments, Gibson, K. . . . . HB 223 (P)
Underage Tattooing Penalty Amendment, Ure, D. . . . . HB 227 (P)

CRIMINAL CONDUCT

Petition for Involuntary Medication of
Incompetent Person, Wyatt, S. . . . . HB 414 (P)

CRIMINAL IDENTIFICATION

DNA Database Amendments, Adams, J. S. . . . . HB 212 (P)
Sex Offender Registration Fee, Fowlke, L. . . . . HB 410 (P)

DEATH

Revocation of Death Benefits by Divorce, Hale, K. . . . . SB 186 (P)
Vital Statistics Act Amendments, Hatch, T. . . . . SB 172 (P)

DEPARTMENT OF ADMINISTRATIVE SERVICES

Administrative Rulemaking Authority Amendments,
Stephenson, H. . . . . SB 158 (P)

DEPARTMENT OF AGRICULTURE AND FOOD

Conservation Easement Restricted Accounts, Evans, B. . . . . SB 67 (P)
Rangeland Improvement Act, Johnson, B. . . . . HB 145 (P)
Special Revenue Fund for Salinity Offset Program, Knudson, P. . . . SB 228 (P)

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Alcohol Beverage Control Amendments, Knudson, P. . . . . SB 124 (P)

DEPARTMENT OF COMMERCE

Amendments to Pete Suazo Athlete Commission, Mayne, E. . . . . SB 232 (P)
Department of Commerce − Demographic Data Tracking,
Wheatley, M. . . . . HB 236 (F)
Environmental Litigation Bond, Tilton, A. . . . . HB 100 (P)
Property Rights Ombudsman, Mansell, L. A. . . . . SB 268 (P)

DEPARTMENT OF CORRECTIONS

Aggravated Assault by Prisoners Amendment, Wyatt, S. . . . . HB 244 (P)
Amendments to Sexually Explicit Business and Escort
Service Fund, Cosgrove, T. . . . . HB 379 (F)
Controlled Substance Amendments, Oda, C. . . . . HB 60 (P)

Correctional Facility Bidding Process, Stephenson, H. . . . . SB 175 (F)
DNA Database Amendments, Adams, J. S. . . . . HB 212 (P)
Jail Funding Amendments, Thomas, D. . . . . SB 50 (P)
Joint Resolution Supporting Garfield County Expansion
of Correctional Facilities, Noel, M. . . . . HJR 12 (F)
Sex Offender Amendments, Dee, B. . . . . HB 158 (P)
Sex Offender Registration Fee, Fowlke, L. . . . . HB 410 (P)
State Long−term Care for Inmates, Biskupski, J. . . . . HB 125 (P)

DEPARTMENT OF ENVIRONMENTAL QUALITY

Division of Air Quality − Bond for Stay of an Order, Tilton, A. . . . HB 259 (F)
Uniform Environmental Covenants Act, Hillyard, L. . . . . SB 153 (P)

DEPARTMENT OF FINANCIAL INSTITUTIONS

Automated Teller Machine Fees, Walker, M. . . . . HB 365 (P)
Department of Financial Institutions Enforcement of
Applicable Law, Hillyard, L. . . . . SB 162 (P)
Department of Financial Institution's Fees, Hillyard, L. . . . . SB 116 (P)
Real Estate Related Regulation, Transactions, and
Construction, Ray, P. . . . . HB 159 (F)

DEPARTMENT OF HEALTH

Ambulance and Paramedic Fee Amendments, Ray, P. . . . . HB 221 (P)
Ambulance Services − Free Market Competition, Hughes, G. . . . . HB 331 (F)
Amendments to Child Care, Hellewell, P. . . . . SB 86 (P)
Child Care Exemptions Amendments, Hellewell, P. . . . . SB 144 (F)
Child Care Licensing Restrictions, Lawrence, M. S. . . . . HB 254 (P)
Child Care Revisions, Buxton, D. G. . . . . HB 263 (P)
Medicaid Dental and Physician Reimbursement
Amendments, Mascaro, S. . . . . HB 24 (F)
Medical Examiner's Office Amendments, Donnelson, G. . . . . HB 314 (F)
Minimum Enforcement of Food Sanitation Rules, Clark, S. . . . . HB 114 (P)
Public Health Amendments, Last, B. . . . . HB 129 (P)
Trauma Registry Data, Allen, S. . . . . HB 229 (P)

DEPARTMENT OF HUMAN SERVICES

Adult Protective Services Amendments, Christensen, A. . . . . SB 53 (P)
Counseling for Families of Veterans, Cosgrove, T. . . . . HB 407 (P)
Petition for Involuntary Medication of Incompetent Person,
Wyatt, S. . . . . HB 414 (P)

DEPARTMENT OF NATURAL RESOURCES

Conservation Easement Restricted Accounts, Evans, B. . . . . SB 67 (P)
Department of Natural Resources Amendments, Wheeler, R. . . . . HB 361 (F)
Natural Resources Development, Dmitrich, M. . . . . SB 241 (P)

DEPARTMENT OF TRANSPORTATION

Highway Transfer Process Amendments, Walker, C. . . . . SB 17 (P)
Transportation − Oversize and Overweight Permit, Gibson, K. . . . . HB 293 (P)

DEPARTMENT OF WORKFORCE SERVICES

Public Assistance Amendments, Allen, S. . . . . HB 37 (P)

DIGITAL SIGNATURES

Repeal of Utah Digital Signature Act, Hillyard, L. . . . . SB 20 (P)

DISABILITIES

Access to Point−of−sale Devices, Barrus, R. . . . . HB 432 (F)
Continuing Parental Rights in Disabled Children, Christensen, L. . HB 433 (F)
Instructional Materials for Disabled Students, Buxton, D. G. . . . . HB 192 (P)
Interpreters for Hearing Impaired, Morgan, K. . . . . HB 437 (F)
Pilot Program for the Provision of Services for People
with Disabilities, Menlove, R. . . . . HB 31 (P)
Purchasing from People with Disabilities Amendments,
Killpack, S. . . . . SB 59 (P)
Resolution Urging State Agencies to Update References to
Mental Retardation, Hogue, D. . . . . HJR 14 (P)
Service Animals, Ray, P. . . . . HB 194 (F)
Services for People with Brain Injuries, Menlove, R. . . . . HB 213 (P)

DOGS

Criminal Penalty for Animal Cruelty, Wyatt, S. . . . . HB 61 (F)
Veterinary Practice Act Amendments, Mathis, J. . . . . HB 284 (P)

DOMESTIC VIOLENCE

Domestic Violence and Dating Violence Amendments, Litvack, D. . HB 10 (F)
Sentencing for First Degree Felony Murder, Fowlke, L. . . . . HB 102 (P)
Uniform Interstate Enforcement of Domestic Violence
Protection Orders Act, Hillyard, L. . . . . SB 106 (P)

DRIVER LICENSE

Amendments to Commercial Driver License Provisions,
Alexander, J. . . . . HB 140 (P)

Commercial Driver Training School Act Amendments,
Dunnigan, J. . . . . HB 20 (P)
Disclosure of Driver License Records, Madsen, M. . . . . SB 88 (P)
Driver License − Application of Minor, Litvack, D. . . . . HB 298 (F)
Driver License − Learner Permit Provisions, Dougall, J. . . . . HB 363 (P)
Driver License Privilege Suspension for Failure to Pay
Child Support, Fisher, Julie . . . . . HB 83 (F)
Driver License Qualification Amendments, Donnelson, G. . . . . HB 64 (F)
Driver License Records Access Amendments, Aagard, D. . . . . HB 169 (P)
Driving by Minors Amendments, Hale, K. . . . . SB 118 (P)
Identification Card Amendments, Dunnigan, J. . . . . HB 19 (P)
Sex Offender Amendments, Dee, B. . . . . HB 158 (P)

DRIVING UNDER THE INFLUENCE (DUI)

Driving Under the Influence Amendments, Walker, C. . . . . SB 18 (P)
Driving with a Controlled Substance in the Body −
Amendments, Walker, C. . . . . SB 51 (P)

ECONOMIC DEVELOPMENT

Business Resource Centers, Knudson, P. . . . . SB 244 (F)
Community Impact Amendments, Snow, G. . . . . HB 97 (F)
Economic Development − Government Procurement
Contracts, Adams, J. S. . . . . HB 458 (P)
Economic Development − Sunset Modifications, Wallace, P. . . . . HB 71 (P)
Economic Development Incentives, Dee, B. . . . . HB 131 (P)
Science and Technology Education Program, Knudson, P. . . . . SB 187 (P)
Task Force Studying Natural Disasters, Kiser, T. . . . . HB 434 (F)
U Star Initiative, Mansell, L. A. . . . . SB 75 (P)

EDUCATION

Addressing Major Disruptions by Public School Students,
Hutchings, E. . . . . HB 412 (F)
Adjustments in Funding for Concurrent Enrollment, Dayton, M. . . HB 151 (P)
Alternative School Building Plans, Buttars, D. C. . . . . SB 78 (F)
Amendments to the Minimum School Program Budget,
Stephenson, H. . . . . SB 5 (P)
Appropriation for Highly Qualified Teachers, Holdaway, K. . . . . HB 285 (P)
Basic Skills Competency Test Requirements, Morgan, K. . . . . HB 441 (F)
Beginning Teacher Enhancements, Gowans, J. . . . . HB 98 (F)
Beginning Teacher Induction, Menlove, R. . . . . HB 310 (F)
Board of Regents Amendments, Alexander, J. . . . . HB 119 (P)

Care of Students with Diabetes in School, Arent, P. . . . . SB 8 (P)
Carson Smith Scholarship Program Amendments, Newbold, M. . . . HB 351 (P)
Centers of Excellence Amendments, Hatch, T. . . . . SB 112 (P)
Class Size Reduction, Moss, C. . . . . HB 134 (F)
Continuing Education in Insurance, Hatch, T. . . . . SB 115 (P)
Cultural Sites Protection Amendments, Johnson, B. . . . . HB 311 (P)
Density Credit for Land Donated to School District, Cox, D. . . . . HB 319 (F)
Early Childhood Reading Readiness Resolution, Morgan, K. . . . . HCR 1 (F)
Education Accountability, Bourdeaux, D. . . . . HB 185 (F)
Education Funding Amendments, Dee, B. . . . . HB 340 (F)
Education Information Technology Systems, Holdaway, K. . . . . HB 82 (P)
Education Reform, Urquhart, S. . . . . HB 181 (P)
Education Resources Conservation Program, Biskupski, J. . . . . HB 337 (F)
Education Testing and Graduation Amendments, Hansen, N. . . . . HB 155 (F)
Educator Phonics Requirements, Cox, D. . . . . HB 447 (F)
Fee Waiver Eligibility Verification, Holdaway, K. . . . . HB 201 (F)
Foreign Exchange Student Amendments, Hendrickson, N. . . . . HB 202 (F)
Full−day Kindergarten, Holdaway, K. . . . . HB 107 (F)
Funding English as a Second Language, Bourdeaux, D. . . . . HB 399 (F)
High School Curriculum and Graduation, Daw, B. . . . . HB 230 (F)
High School Diploma Amendments, Holdaway, K. . . . . HB 374 (F)
High School Graduation Amendments, Madsen, M. . . . . SB 204 (F)
Higher Education Tuition for Active Duty Military, Morley, M. . . . HB 232 (P)
Home School and Dual Enrollment Amendments, Madsen, M. . . . . SB 72 (F)
Income Tax − Education Funding, Shurtliff, L. . . . . HB 84 (F)
In−state Tuition for Members of Utah National Guard,
Knudson, P. . . . . SB 174 (P)
Instructional Expenses Requirements, Hughes, G. . . . . HB 143 (F)
Instructional Materials for Disabled Students, Buxton, D. G. . . . . HB 192 (P)
Joint Resolution Raising Public Awareness of Vital Role
of Paraeducators, Menlove, R. . . . . HJR 15 (P)
Kindergarten Readiness, Shurtliff, L. . . . . HB 226 (P)
Medical Recommendations for Children, Morley, M. . . . . HB 299 (F)
Minimum School Program Base Budget Amendments,
Stephenson, H. . . . . SB 3 (P)
New Century Scholarship Amendments, Holdaway, K. . . . . HB 326 (P)
Parent Choice in Education Act, Adams, J. S. . . . . HB 184 (F)
Public Education − Instruction and Policy Relating to
the Origins of Species, Buttars, D. C. . . . . SB 96 (F)
Public Education Accountability, Bourdeaux, D. . . . . HB 416 (F)
Public Education Club Amendments, Tilton, A. . . . . HB 393 (F)

Public Education Consolidated Report, Dayton, M. . . . . HB 408 (F)
Public Education Job Enhancement Program Amendments,
Menlove, R. . . . . HB 252 (F)
Reading Requirements for Student Advancement, Morgan, K. . . . . HB 62 (F)
Repeal of Exemption from Nonresident Tuition, Donnelson, G. . . . . HB 7 (F)
Resolution Encouraging School Boards to Adopt Policy
Prohibiting Bullying, Arent, P. . . . . SCR 1 (P)
Resolution Encouraging Utah Schools to Educate Children
Regarding Risks of Sun Exposure, Arent, P. . . . . SR 02 (P)
Resolution Expressing Opposition to Federal Encroachment
on Education, Cox, D. . . . . HJR 11 (F)
Resolution Promoting Utah's Legislators Back to School
Program, Dayton, M. . . . . HCR 2 (P)
Resolution Recognizing Right to Participate in Religious
Expressions in Public Schools, Hellewell, P. . . . . SJR 9 (P)
School and Institutional Trust Lands Amendments, Hatch, T. . . . . SB 217 (F)
School Busing Amendments, Cox, D. . . . . HB 297 (F)
School Community Council Amendments, Arent, P. . . . . SB 49 (P)
School Community Council Powers, Madsen, M. . . . . SB 199 (F)
School Community Councils, Fisher, Julie . . . . . HB 99 (F)
School Discipline Research Project, Fowlke, L. . . . . HB 190 (F)
School District Boundaries, Cox, D. . . . . HB 77 (P)
School District Enrollment Diversity, Bourdeaux, D. . . . . HB 176 (F)
School Fee Waiver Amendments, Shurtliff, L. . . . . HB 68 (F)
School Nurses Legislative Study, Mayne, E. . . . . SB 48 (F)
School Reporting Amendments, Morgan, K. . . . . HB 435 (F)
School Truancy Amendments, Hutchings, E. . . . . HB 253 (F)
School Uniforms, Frank, C. . . . . HB 167 (P)
Schools for the Deaf and Blind Salary Adjustment, Morgan, K. . . . HB 218 (P)
Science and Technology Education Program, Knudson, P. . . . . SB 187 (P)
Secondary School Amendments, Buttars, D. C. . . . . SB 56 (P)
Small College Enhancements, Hickman, J. . . . . SB 121 (F)
State Agency and Higher Education Compensation
Amendments, Bigelow, R. . . . . HB 4 (P)
Student Club Amendments, Buttars, D. C. . . . . SB 97 (F)
Surplus Lands Amendments, Walker, M. . . . . HB 446 (P)
Transportation of Children in Kindergarten Through
Sixth Grade, Mayne, E. . . . . SB 126 (F)
Tuition Program for Students Seeking Teacher Licensure,
Menlove, R. . . . . HB 81 (P)
Tuition Waivers for Higher Education, Buttars, C. . . . . HB 66 (P)

Utah Education Network Amendments, Holdaway, K. . . . . HB 289 (P)

ELDERLY

Adult Protective Services Amendments, Christensen, A. . . . . SB 53 (P)
Aging and Adult Services Program Amendments, Dunnigan, J. . . . HB 303 (F)
Resolution Limiting Property Tax on Primary Residence,
Hogue, D. . . . . HJR 6 (F)
State Parks − Senior Permits, Allen, S. . . . . HB 405 (F)

ELECTIONS

Authorization of Opinion Questions to Voters, Mayne, E. . . . . SB 131 (F)
Campaign Finance and Reporting Amendments, Bramble, C. . . . . SB 254 (F)
Common Polling Places Amendments, Aagard, D. . . . . HB 13 (P)
County Officer Amendments, Thomas, D. . . . . SB 100 (P)
Early Voting, Aagard, D. . . . . HB 15 (P)
Election and Referendum Procedures, Hogue, D. . . . . HB 120 (F)
Election Code − Electronic Voting Procedures and
Requirements, Aagard, D. . . . . HB 348 (P)
Election Code Revisions, Hellewell, P. . . . . SB 11 (P)
Election Day Voter Registration, Hansen, N. . . . . HB 347 (F)
Election Reform, Mansell, L. A. . . . . SB 55 (P)
Electronic Voting − Vote Count Audit Committee, McCoy, S. . . . . SB 259 (F)
Lobbyist Gift Limits and Disclosure, Alexander, J. . . . . HB 101 (F)
Military and Overseas Citizens Absentee Voter
Amendments, Urquhart, S. . . . . HB 67 (P)
Personal Use of Campaign Funds, Hale, K. . . . . SB 73 (F)
Protection of Certain Voter Information, Hillyard, L. . . . . SB 110 (F)
Provisional Ballot Amendments, Hellewell, P. . . . . SB 10 (P)
Resolution Submitting Minimum Wage Question
to the Voters, Mayne, E. . . . . SJR 8 (F)
Restoration of Felon's Right to Hold Office, Hellewell, P. . . . . SB 181 (F)
Restoration of Voting Rights Amendments, Goodfellow, B. . . . . SB 47 (P)
Voter Registration − Proof of Citizenship, Madsen, M. . . . . SB 200 (F)
Voting Amendments, Shurtliff, L. . . . . HB 231 (F)
Western States Presidential Primary, Knudson, P. . . . . SB 60 (P)

ELECTRONIC INFORMATION

Amendments to Government Records Access and
Management Act, Aagard, D. . . . . HB 12 (P)
Antiphishing Provisions, Arent, P. . . . . SB 52 (P)

ELECTRONIC TRANSACTIONS

Child Welfare − Licensing and Management Information Systems, Harper, W. . . . . HB 25 (P)
Electronic Meeting Amendment, Hillyard, L. . . . . SB 12 (P)
State−owned Art Collections Inventory Program, Evans, B. . . . . SB 85 (P)

EMERGENCY MANAGEMENT

Disaster Response and Recovery Act, Adams, J. S. . . . . HB 123 (P)
Price Controls During Emergencies Amendments, Arent, P. . . . . SB 66 (P)
State Disaster Contingency Funding, Oda, C. . . . . HB 390 (F)
Task Force Studying Natural Disasters, Kiser, T. . . . . HB 434 (F)
Use of Disaster Loan Funds, Clark, D. . . . . HB 87 (P)

EMINENT DOMAIN (GOVERNMENT LAND TAKE OVER)

Eminent Domain Amendments, Stephenson, H. . . . . SB 117 (P)
Eminent Domain Changes, Jenkins, S. . . . . SB 210 (F)
Eminent Domain Limitation on Political Subdivisions, Ferry, B. . . HB 168 (F)
Eminent Domain Requirements, Ure, D. . . . . HB 275 (F)
Property Rights Ombudsman, Mansell, L. A. . . . . SB 268 (P)
Resolution Restricting Use of Eminent Domain, Dougall, J. . . . . HJR 29 (F)
Use of Eminent Domain, Tilton, A. . . . . HB 292 (F)

EMPLOYEES AND COMPENSATION, LEGISLATIVE

Resolution Approving Compensation of In−session Employees, Waddoups, M. . . . . SJR 6 (P)

ENERGY

Energy Policy Amendments, Barrus, R. . . . . HB 46 (P)
Energy Savings in State Buildings, Hunsaker, F. . . . . HB 80 (P)
Renewable Energy Tax Credit, Allen, S. . . . . HB 42 (F)

ENVIRONMENT

Clean Fuel Vehicle Fund Amendments, Gowans, J. . . . . HB 93 (P)
Division of Air Quality − Bond for Stay of an Order, Tilton, A. . . . HB 259 (F)
Electronic Waste Task Force and Moratorium on Electronic Waste Disposal, McCoy, S. . . . . SB 215 (F)
Environmental Health Scientist Modifications, Noel, M. . . . . HB 189 (F)
Environmental Litigation Bond, Tilton, A. . . . . HB 100 (P)
Mercury Switch Removal Act, Menlove, R. . . . . HB 138 (P)

Petroleum Storage Tank Trust Fund Amendments, Ure, D. . . . . HB 271 (P)
Process for Approval of Waste Disposal Amendments,
Stephenson, H. . . . . SB 70 (P)
Radiation Control Act − Bond Requirements, Tilton, A. . . . . HB 335 (F)
Special Revenue Fund for Salinity Offset Program, Knudson, P. . . . SB 228 (P)
Uniform Environmental Covenants Act, Hillyard, L. . . . . SB 153 (P)
Waste Fee Amendments, Eastman, D. . . . . SB 209 (P)
Water Reuse Requirements, Ferry, B. . . . . HB 38 (P)

ETHICS

Ban on Gifts to Elected Officials, Jones, P. . . . . HB 94 (F)
Disclosure of Conflict of Interest, Romero, R. . . . . HB 255 (F)
Ethics in Dental Advertising, Knudson, P. . . . . SB 108 (P)
Gifts to Public Officials, Bell, G. . . . . SB 102 (F)
House Rules Resolution − Conflict of Interest Amendments,
Romero, R. . . . . HR 02 (P)
Joint Rules Resolution − Disclosure of Conflict of Interest,
Romero, R. . . . . HJR 10 (F)
Personal Use of Campaign Funds, Hale, K. . . . . SB 73 (F)

EXECUTIVE BRANCH

Administrative Rules Reauthorization, Stephenson, H. . . . . SB 26 (P)
Commission on Civic and Character Education, Christensen, L. . . . HB 339 (P)
Department of Financial Institutions Pay Plan, Alexander, J. . . . . HB 430 (P)
Executive Compensation Amendments, Hillyard, L. . . . . SB 2 (F)
Gifts, Grants, and Donations to Office of the
Attorney General, Noel, M. . . . . HB 453 (F)
Salary of the Lieutenant Governor, Christensen, L. . . . . HB 115 (P)
State Elected Officials Health Plan, Hutchings, E. . . . . HB 157 (F)
State Executive Compensation − Department
of Health, Knudson, P. . . . . SB 178 (P)

FAMILY

Divorce Education Amendments, Fowlke, L. . . . . HB 27 (P)
Joint Custody Amendments, Christensen, L. . . . . HB 398 (F)
Office of Child Welfare Parental Defense Amendments,
Harper, W. . . . . HB 23 (P)
Out−of−state Parent−time Amendments, Fowlke, L. . . . . HB 278 (P)
Parent and Child Amendments, Christensen, L. . . . . HB 148 (P)
Parentage Act Amendments, Fowlke, L. . . . . HB 382 (F)
Parent−time Amendments, Dee, B. . . . . HB 124 (P)

FEDERAL GOVERNMENT

Department of Financial Institutions Enforcement
of Applicable Law, Hillyard, L. . . . . SB 162 (P)
Economic Development − Government Procurement
Contracts, Adams, J. S. . . . . HB 458 (P)
Resolution Urging Development of Offshore
Energy Resources, Hatch, T. . . . . SCR 2 (F)

FEES

Access and Fee Amendments to Government Records Access
and Management Act, Aagard, D. . . . . HB 28 (P)
Automated Teller Machine Fees, Walker, M. . . . . HB 365 (P)
Costs of Divorce, Wallace, P. . . . . HB 322 (P)
Department of Financial Institution's Fees, Hillyard, L. . . . . SB 116 (P)
Insurance Department − Sunset Amendments and
Revisions, Jenkins, S. . . . . SB 14 (P)
Local Governments Restrictions on Limiting
Certain Fees, Hughes, G. . . . . HB 250 (P)
Office of Recovery Services Fee, Tilton, A. . . . . HB 312 (F)
Plea in Abeyance Fee, Lawrence, M. S. . . . . HB 247 (P)
School Fee Waiver Amendments, Shurtliff, L. . . . . HB 68 (F)

FIDUCIARIES AND TRUSTS

Lenders Registration Acts Amendments, Mayne, E. . . . . SB 76 (F)

FINANCIAL INSTITUTIONS

Amendments Related to Lending, Hogue, D. . . . . HB 462 (F)
Utah Consumer Credit Code Amendments, Knudson, P. . . . . SB 123 (P)

FIRE PROTECTION

Fire Alarm System Certification Requirements, Murray, J. . . . . HB 266 (P)
Firefighters' Deferred Retirement Option Plan, Walker, M. . . . . HB 397 (F)
Local Fire Officials Authority, Ure, D. . . . . HB 116 (F)
Wildland Fire Suppression Amendments, Thomas, D. . . . . SB 65 (P)

FISH AND GAME

Age Amendments for Hunting Big Game, Oda, C. . . . . HB 329 (F)
Eliminating the Age Requirement for Hunting Small Game,
Oda, C. . . . . HB 328 (P)

Waterfowl Stamp Implementation, Clark, S. . . . . HB 336 (F)
Wildlife Damage Compensation Act Amendments, Buttars, C. . . . . HB 287 (P)

FORESTS

Wildland Fire Suppression Amendments, Thomas, D. . . . . SB 65 (P)

FOSTER CARE

Child Protection and Parental Rights Amendments, Harper, W. . . . HB 364 (F)

FRAUD

Criminal Identity Fraud Amendments, Walker, C. . . . . SB 184 (P)

GANGS

Child Protection − Gang Association, Hutchings, E. . . . . HB 220 (F)

GOVERNMENT OPERATIONS (STATE ISSUES)

Access and Fee Amendments to Government Records Access
and Management Act, Aagard, D. . . . . HB 28 (P)
Administrative Rules Reauthorization, Stephenson, H. . . . . SB 26 (P)
Allowance of State Memorials on State Property, Harper, W. . . . . HB 330 (F)
Amendments to Government Records Access and
Management Act, Aagard, D. . . . . HB 12 (P)
Audit of State Budgets, Christensen, L. . . . . HB 367 (F)
Auditing of Leases Related to Revenue Bonds, Hansen, N. . . . . HB 113 (F)
Ban on Gifts to Elected Officials, Jones, P. . . . . HB 94 (F)
Benefits for National Guard Members and Families, Hughes, G. . . HB 144 (F)
Campaign Finance and Reporting Amendments, Bramble, C. . . . . SB 254 (F)
Capitol Preservation Board Revisions, Evans, B. . . . . SB 260 (P)
Classification and Inspection of Records Under Grama,
Madsen, M. . . . . SB 77 (F)
Commission on Civic and Character Education, Christensen, L. . . . HB 339 (P)
Common Polling Places Amendments, Aagard, D. . . . . HB 13 (P)
Coordination with Tribal Leaders Amendments, Evans, B. . . . . SB 25 (P)
Creation of Education Fund, Alexander, J. . . . . HB 294 (P)
Department of Technology Services Personnel
Transfer − Supplemental Appropriation, Clark, D. . . . . HB 49 (P)
Disaster Response and Recovery Act, Adams, J. S. . . . . HB 123 (P)
Disclosure of Driver License Records, Madsen, M. . . . . SB 88 (P)
Early Voting, Aagard, D. . . . . HB 15 (P)
Election and Referendum Procedures, Hogue, D. . . . . HB 120 (F)

Election Code − Electronic Voting Procedures and
Requirements, Aagard, D. . . . . HB 348 (P)
Election Code Revisions, Hellewell, P. . . . . SB 11 (P)
Election Day Voter Registration, Hansen, N. . . . . HB 347 (F)
Election Reform, Mansell, L. A. . . . . SB 55 (P)
Electronic Meeting Amendment, Hillyard, L. . . . . SB 12 (P)
Electronic Voting − Vote Count Audit Committee, McCoy, S. . . . . SB 259 (F)
Eminent Domain Amendments, Stephenson, H. . . . . SB 117 (P)
Eminent Domain Requirements, Ure, D. . . . . HB 275 (F)
Energy Policy Amendments, Barrus, R. . . . . HB 46 (P)
Energy Savings in State Buildings, Hunsaker, F. . . . . HB 80 (P)
Executive and Legislative Coordination Act, Hogue, D. . . . . HB 248 (F)
Executive Compensation Amendments, Hillyard, L. . . . . SB 2 (F)
General Fund Surplus Appropriation for Water
Development Projects, Hillyard, L. . . . . SB 39 (F)
General Obligation Bond Authorization for Highways, Ferrin, J. . . HB 369 (F)
Gifts to Public Officials, Bell, G. . . . . SB 102 (F)
Gifts, Grants, and Donations to Office of the
Attorney General, Noel, M. . . . . HB 453 (F)
Government Records Access and Management Act −
Public Records, Ferry, B. . . . . HB 258 (P)
Government Records Access and Management
Act Revisions, Frank, C. . . . . HB 188 (P)
Governmental Immunity Limits, Stephenson, H. . . . . SB 113 (P)
Governor's Budget − Wage and Benefit Increases to be
Considered for Soil Conservation District, Gibson, K. . . . . HB 296 (P)
Grama Appeals Process and Document Request
Amendments, Thomas, D. . . . . SB 15 (F)
Grama Records Committee Appeal, Moss, C. . . . . HB 117 (P)
Human Resource Management Amendments, Clark, D. . . . . HB 269 (P)
Investment of Land Grant Trust Funds, Clark, D. . . . . HB 78 (P)
Legislative Direction Relating to United States Senators,
Stephenson, H. . . . . SB 156 (F)
Lobbyist Gift Limits and Disclosure, Alexander, J. . . . . HB 101 (F)
Military and Overseas Citizens Absentee Voter Amendments,
Urquhart, S. . . . . HB 67 (P)
Moratorium on Issuing Sales Tax Revenue Bonds by
Local Governments, Hillyard, L. . . . . SB 166 (F)
Naming State Reptile, Clark, D. . . . . HB 214 (F)
Navajo Trust Fund Amendments, King, B. . . . . HB 152 (P)
New Fiscal Year Supplemental Appropriations Act, Hillyard, L. . . . . SB 4 (P)

Observing Juneteenth Day by the State, Hansen, N. . . . . HB 452 (F)
Office of State Debt Collection Amendments, Knudson, P. . . . . SB 214 (P)
Open and Public Meetings Act Revisions, Hellewell, P. . . . . SB 9 (P)
Open Meetings Law Amendments, Harper, W. . . . . HB 14 (P)
Personal Use of Campaign Funds, Hale, K. . . . . SB 73 (F)
Privacy of Records Related to Minors, Hutchings, E. . . . . HB 281 (F)
Privatization of Government Functions Task Force, Stephenson, H. . SB 74 (F)
Prosecution and Prevention of Child Pornography
Offenses Amendments, Bigelow, R. . . . . HB 170 (P)
Protection of Certain Voter Information, Hillyard, L. . . . . SB 110 (F)
Provisional Ballot Amendments, Hellewell, P. . . . . SB 10 (P)
Public Employer Benefit Plans, Christensen, L. . . . . HB 327 (F)
Purchasing from People with Disabilities Amendments,
Killpack, S. . . . . SB 59 (P)
Real Estate Amendments, Snow, G. . . . . HB 315 (P)
Redistricting Amendments, McGee, R. . . . . HB 91 (F)
Repeal of Utah Digital Signature Act, Hillyard, L. . . . . SB 20 (P)
Reporting of Tax Information, McCoy, S. . . . . SB 208 (F)
Restoration of Felon's Right to Hold Office, Hellewell, P. . . . . SB 181 (F)
Restoration of Voting Rights Amendments, Goodfellow, B. . . . . SB 47 (P)
Revenue Bond and Capital Facilities Authorizations
and General Obligation Bond Authorization Amendments,
Hickman, J. . . . . SB 236 (P)
Revenue Bonds − Auditing of Public−private Contracts,
Bramble, C. . . . . SB 258 (F)
Revisions to Open and Public Meetings Law, Donnelson, G. . . . . HB 16 (P)
Revolving Door Limitations for Public Officials to Become
Lobbyists, Moss, C. . . . . HB 121 (F)
Salary of the Lieutenant Governor, Christensen, L. . . . . HB 115 (P)
Shared Government Records Amendments, Dmitrich, M. . . . . SB 190 (P)
State Agency and Higher Education Base Budget
Appropriations, Hillyard, L. . . . . SB 1 (P)
State Budget Provisions, Dayton, M. . . . . HB 352 (F)
State Disaster Contingency Funding, Oda, C. . . . . HB 390 (F)
State Executive Compensation − Department of Health,
Knudson, P. . . . . SB 178 (P)
State Office of Rehabilitation − Budget Recommendations,
Last, B. . . . . HB 260 (P)
State−owned Art Collections Inventory Program, Evans, B. . . . . SB 85 (P)
Surplus Property Amendments, Knudson, P. . . . . SB 132 (P)
Task Force on Legislative Reforms, Hansen, N. . . . . HB 341 (F)

Tie Bids − Preference for In−state Commodities, Peterson, D. .... SB 220 (P)
Unclaimed Property Act Revisions, Hunsaker, F. ..... HB 75 (F)
Use of Disaster Loan Funds, Clark, D. ..... HB 87 (P)
Use of Eminent Domain, Tilton, A. ..... HB 292 (F)
Utah Employment Act, Donnelson, G. ..... HB 179 (F)
Veterans Nursing Home − Extension Bond Authorization,
Hardy, A. ..... HB 461 (P)
Voter Registration − Proof of Citizenship, Madsen, M. ..... SB 200 (F)
Voting Amendments, Shurtliff, L. ..... HB 231 (F)
Western States Presidential Primary, Knudson, P. ..... SB 60 (P)
Workers' Compensation for the State, Snow, G. ..... HB 72 (P)

GOVERNMENT PURCHASING

Amendments to Government Records Access and
Management Act, Aagard, D. ..... HB 12 (P)
Purchasing from People with Disabilities Amendments,
Killpack, S. ..... SB 59 (P)
Tie Bids − Preference for In−state Commodities, Peterson, D. .... SB 220 (P)
Transportation Construction Amendments, Fisher, Julie ..... HB 267 (P)
Utah Employment Act, Donnelson, G. ..... HB 179 (F)

GOVERNMENT RECORDS

Access and Fee Amendments to Government Records Access
and Management Act, Aagard, D. ..... HB 28 (P)
Classification and Inspection of Records
Under Grama, Madsen, M. ..... SB 77 (F)
Disclosure of Driver License Records, Madsen, M. ..... SB 88 (P)
Government Records Access and Management Act −
Public Records, Ferry, B. ..... HB 258 (P)
Government Records Access and Management
Act Revisions, Frank, C. ..... HB 188 (P)
Grama Appeals Process and Document Request
Amendments, Thomas, D. ..... SB 15 (F)
Grama Records Committee Appeal, Moss, C. ..... HB 117 (P)
Preservation of and Access to State Publications, Noel, M. ..... HB 41 (P)
Privacy of Records Related to Minors, Hutchings, E. ..... HB 281 (F)
Protection of Certain Voter Information, Hillyard, L. ..... SB 110 (F)
Shared Government Records Amendments, Dmitrich, M. ..... SB 190 (P)

GOVERNMENTAL IMMUNITY

Governmental Immunity Limits, Stephenson, H. ..... SB 113 (P)

GROSS RECEIPTS

Gross Receipts Tax Amendments, Repeal and Public
Utility Tariffs, Dmitrich, M. . . . . SB 34 (P)

HAZARDOUS MATERIALS TRANSPORTATION

Resolution Opposing Transport and Storage of Spent
Nuclear Fuel, Knudson, P. . . . . SCR 5 (F)

HAZARDOUS SUBSTANCES

Mercury Switch Removal Act, Menlove, R. . . . . HB 138 (P)
Process for Approval of Waste Disposal Amendments,
Stephenson, H. . . . . SB 70 (P)
Waste Fee Amendments, Eastman, D. . . . . SB 209 (P)

HEALTH

Ambulance and Paramedic Fee Amendments, Ray, P. . . . . HB 221 (P)
Amendments Prohibiting Health Insurance Discrimination,
McCoy, S. . . . . SB 42 (F)
Amendments to Indoor Clean Air Act, Waddoups, M. . . . . SB 19 (P)
Amendments to Utah Comprehensive Health Insurance Pool,
Davis, G. . . . . SB 94 (F)
Center for Multicultural Health − Duties, Romero, R. . . . . HB 142 (P)
Comprehensive Health Insurance Pool Amendments, Wallace, P. . . HB 204 (P)
Consumer Access to Health Care Provider Charges, Hutchings, E. . HB 301 (F)
Emergency Medical Service Provider Tort Reform, Allen, S. . . . . HB 270 (F)
Ethics in Dental Advertising, Knudson, P. . . . . SB 108 (P)
Health and Human Services Sunset and Reporting
Amendments, Christensen, A. . . . . SB 6 (P)
Health Care Cost and Quality Data, Morley, M. . . . . HB 246 (F)
Health Insurance Accessibility, Dunnigan, J. . . . . HB 156 (P)
Health Insurance High Risk Pool Eligibility
Amendments, Litvack, D. . . . . HB 217 (F)
Health Insurance Prompt Pay Amendments, Urquhart, S. . . . . HB 343 (F)
High Deductible Health Plan Option for Public Employees,
Daw, B. . . . . HB 76 (P)
Individual Income Tax Contribution for Community Spay
and Neuter Programs, Noel, M. . . . . HB 95 (P)
In−home and Community Based Support Services for Adults
with Long−term Care Needs, Hutchings, E. . . . . HB 154 (F)
Liability Protections for Charity Care, Knudson, P. . . . . SB 133 (F)

Limitation of Physician Noncompetition Agreements, McGee, R. . . HB 92 (F)
Mammography Insurance Coverage, Moss, C. . . . . HB 332 (F)
Medicaid − Pregnant Women Resource Test, Wheatley, M. . . . . HB 128 (F)
Medicaid Covered At Work Premium Subsidy, Holdaway, K. . . . . HB 276 (P)
Medicaid Dental and Physician Reimbursement
Amendments, Mascaro, S. . . . . HB 24 (F)
Medicaid Generic Drug Reimbursement Amendments,
Walker, M. . . . . HB 105 (P)
Medicaid Resource Standards and Methodologies, Hogue, D. . . . . HB 197 (F)
Medicaid Task Force, Killpack, S. . . . . SB 152 (F)
Medical Billing Requirements, Hutchings, E. . . . . HB 203 (F)
Medical Examiner's Office Amendments, Donnelson, G. . . . . HB 314 (F)
Medical Recommendations for Children, Morley, M. . . . . HB 299 (F)
Minimum Enforcement of Food Sanitation Rules, Clark, S. . . . . HB 114 (P)
Mold Amendments, Hogue, D. . . . . HB 286 (F)
Patient Access to Health Care, Ure, D. . . . . HB 279 (F)
PEHP Risk Pool Amendments, Clark, D. . . . . HB 215 (P)
Physician Assistants and Public Health Amendments, Bell, G. . . . . SB 146 (P)
Prescribing Practices for Schedule II Drugs, Knudson, P. . . . . SB 104 (F)
Prescription Drug Purchasing Pools, Last, B. . . . . HB 79 (F)
Psychologist Licensing Act Amendments, Mayne, E. . . . . SB 95 (P)
Public Employees' Health Plan Option, Hutchings, E. . . . . HB 334 (F)
Public Health Amendments, Last, B. . . . . HB 129 (P)
Resolution Urging Participation by Taiwan in World
Health Organization, Bramble, C. . . . . SR 03 (P)
Response to HIPAA Changes, Knudson, P. . . . . SB 141 (P)
State Elected Officials Health Plan, Hutchings, E. . . . . HB 157 (F)
Telehealth for Rural Utah, Evans, B. . . . . SB 57 (P)
Temporary Medicaid Certification of Nursing Home Beds,
Davis, G. . . . . SB 240 (P)
Trauma Registry Data, Allen, S. . . . . HB 229 (P)
Traumatic Brain Injury Fund, Gowans, J. . . . . HB 388 (F)
Utah Emergency Medical Services Act Amendments, Eastman, D. SB 183 (P)
Utah Health Care Workforce Financial Assistance Act
Amendments, Biskupski, J. . . . . HB 118 (F)
Utah Small Business Health Plan, Mascaro, S. . . . . HB 122 (F)
Vital Statistics Act Amendments, Hatch, T. . . . . SB 172 (P)

HEALTH CARE

Ambulance and Paramedic Fee Amendments, Ray, P. . . . . HB 221 (P)
Ambulance Services − Free Market Competition, Hughes, G. . . . . HB 331 (F)

Care of Students with Diabetes in School, Arent, P. . . . . SB 8 (P)
Health Care Amendments for Foster Children, Hogue, D. . . . . HB 288 (P)
Health Care Cost and Quality Data, Morley, M. . . . . HB 246 (F)
Medical Billing Requirements, Hutchings, E. . . . . HB 203 (F)
Medication Aide Certified, Lockhart, R. . . . . HB 137 (P)
Prescription Drug Purchasing Pools, Last, B. . . . . HB 79 (F)
Resolution Supporting Medicaid Preferred Drug List for
Acid Reflux and Statins, Mascaro, S. . . . . HJR 4 (F)
Response to HIPAA Changes, Knudson, P. . . . . SB 141 (P)
Sales and Use Tax − Dental Prostheses, Knudson, P. . . . . SB 169 (F)
Unborn Child Pain Prevention Act, Ray, P. . . . . HB 222 (F)
Utah Emergency Medical Services
Act Amendments, Eastman, D. . . . . SB 183 (P)

HEALTH CARE FACILITIES

Hospital Lien Amendments, Urquhart, S. . . . . HB 108 (F)
Prescribing Practices for Schedule II Drugs, Knudson, P. . . . . SB 104 (F)
State Long−term Care for Inmates, Biskupski, J. . . . . HB 125 (P)
Trauma Registry Data, Allen, S. . . . . HB 229 (P)

HEALTH CARE PROVIDERS

Center for Multicultural Health − Duties, Romero, R. . . . . HB 142 (P)
Consumer Access to Health Care Provider Charges,
Hutchings, E. . . . . HB 301 (F)
Direct−entry Midwife Act − Repealers, Biskupski, J. . . . . HB 237 (P)
Emergency Medical Service Provider Tort Reform, Allen, S. . . . . HB 270 (F)
Ethics in Dental Advertising, Knudson, P. . . . . SB 108 (P)
Limitation of Physician Noncompetition Agreements, McGee, R. . . HB 92 (F)
Patient Access to Health Care, Ure, D. . . . . HB 279 (F)
Physician Assistants and Public Health Amendments, Bell, G. . . . . SB 146 (P)
Physician Licensing Amendments, Evans, B. . . . . SB 160 (P)
Prescription Drug Purchasing Pools, Last, B. . . . . HB 79 (F)
Regulation of Direct Pathology Billing, Bell, G. . . . . SB 145 (F)
Respiratory Care Amendments, Last, B. . . . . HB 262 (P)
Response to HIPAA Changes, Knudson, P. . . . . SB 141 (P)
Restrictions on Use of Physician Disclosures, Thomas, D. . . . . SB 41 (P)
Tax Credit for Volunteer Service by a Health Care
Professional, Clark, S. . . . . HB 178 (F)
Utah Health Care Workforce Financial Assistance Act
Amendments, Biskupski, J. . . . . HB 118 (F)

HIGHER EDUCATION

Adjustments in Funding for Concurrent Enrollment, Dayton, M. . . HB 151 (P)
Board of Regents Amendments, Alexander, J. . . . . HB 119 (P)
Centers of Excellence Amendments, Hatch, T. . . . . SB 112 (P)
Education Information Technology Systems, Holdaway, K. . . . . HB 82 (P)
Higher Education Tuition for Active Duty Military, Morley, M. . . . HB 232 (P)
In−state Tuition for Members of Utah National Guard,
Knudson, P. . . . . SB 174 (P)
Instructional Materials for Disabled Students, Buxton, D. G. . . . . HB 192 (P)
New Century Scholarship Amendments, Holdaway, K. . . . . HB 326 (P)
Repeal of Exemption from Nonresident Tuition, Donnelson, G. . . . . HB 7 (F)
Sales and Use Tax Exemption for Textbooks for Higher
Education, Bourdeaux, D. . . . . HB 273 (F)
Science and Technology Education Program, Knudson, P. . . . . SB 187 (P)
Small College Enhancements, Hickman, J. . . . . SB 121 (F)
State Agency and Higher Education Compensation
Amendments, Bigelow, R. . . . . HB 4 (P)
Tuition Program for Students Seeking Teacher Licensure,
Menlove, R. . . . . HB 81 (P)
Tuition Waivers for Higher Education, Buttars, C. . . . . HB 66 (P)
U Star Initiative, Mansell, L. A. . . . . SB 75 (P)
Utah Education Network Amendments, Holdaway, K. . . . . HB 289 (P)
Veteran Survivor and Dependent Higher Education Benefit,
McCoy, S. . . . . SB 212 (F)

HIGHWAYS

Acceptance of R.S. 2477 Rights−of−way Amendments, Noel, M. . . HB 264 (P)
Amendments to Transportation Provisions, Dougall, J. . . . . HB 457 (F)
Authorizing Temporary Road Closures, Noel, M. . . . . HB 238 (P)
Construction of Limited Access Highway Amendments,
Hogue, D. . . . . HB 384 (F)
Highway Transfer Process Amendments, Walker, C. . . . . SB 17 (P)
K. Gunn Mckay Highway Designation, Hansen, N. . . . . HB 73 (P)
Outdoor Advertising − Height Adjustment of Signs, Hellewell, P. . SB 222 (P)
Public−private Partnerships for Tollway Facilities, Killpack, S. . . . . SB 80 (P)
Relocating Outdoor Advertising, Ure, D. . . . . HB 394 (P)
State Highways Amendments, Murray, J. . . . . HB 35 (P)
Unlawful Outdoor Advertising Amendments, Waddoups, M. . . . . SB 140 (P)
Utah Strategic Highway Projects Fund, Ure, D. . . . . HB 427 (F)

HISTORY

Joint Resolution Supporting Recognition of Topaz
and its History, Wheeler, R. . . . . HJR 19 (F)
State Antiquities and Historic Sites Amendments, Johnson, B. . . . . HB 139 (P)

HOUSING AND COMMUNITY DEVELOPMENT

Department of Community and Culture Amendments, Knudson, P. . SB 22 (P)
Homeowners Association Provisions, Hickman, J. . . . . SB 90 (F)

HUMAN SERVICES

Abortion by a Minor − Parental Notification and Consent,
Gibson, K. . . . . HB 85 (P)
Adoption Amendments, Hardy, A. . . . . HB 130 (P)
Adoption and Vital Statistics Amendments, Holdaway, K. . . . . HB 89 (F)
Adult Protective Services Amendments, Christensen, A. . . . . SB 53 (P)
Aging and Adult Services Program Amendments, Dunnigan, J. . . . HB 303 (F)
Amendments to Child Protection Registry, Hutchings, E. . . . . HB 417 (P)
Changes to Definitions of a Child and a Minor, Harper, W. . . . . HB 103 (P)
Child Protection − Clandestine Laboratory Operation,
Hutchings, E. . . . . HB 219 (P)
Child Protection − Gang Association, Hutchings, E. . . . . HB 220 (F)
Child Protection Amendments, Bell, G. . . . . SB 7 (P)
Child Protection and Parental Rights Amendments, Harper, W. . . . HB 364 (F)
Child Protection Registry Amendments, Dmitrich, M. . . . . SB 206 (F)
Child Welfare − Licensing and Management
Information Systems, Harper, W. . . . . HB 25 (P)
Child Welfare Amendments, Tilton, A. . . . . HB 239 (F)
Child Welfare Revisions, Harper, W. . . . . HB 21 (P)
Continuing Parental Rights in Disabled
Children, Christensen, L. . . . . HB 433 (F)
Domestic Violence and Dating
Violence Amendments, Litvack, D. . . . . HB 10 (F)
Driver License Privilege Suspension for Failure to
Pay Child Support, Fisher, Julie . . . . . HB 83 (F)
Guardian Ad Litem Amendments, Christensen, L. . . . . HB 174 (F)
Health and Human Services Sunset and Reporting
Amendments, Christensen, A. . . . . SB 6 (P)
In−home and Community Based Support Services for Adults
with Long−term Care Needs, Hutchings, E. . . . . HB 154 (F)
Interpreters for Hearing Impaired, Morgan, K. . . . . HB 437 (F)

Licensure of Programs and Facilities − Criminal
Background Check Amendments, Hatch, T. . . . . SB 173 (P)
Office of Child Welfare Parental
Defense Amendments, Harper, W. . . . . HB 23 (P)
Pilot Program for the Provision of Services for People
with Disabilities, Menlove, R. . . . . HB 31 (P)
Regulation of Restraint, Seclusion, and Emergency
Medication, Hatch, T. . . . . SB 91 (F)
Service Animals, Ray, P. . . . . HB 194 (F)
Services for People with Brain Injuries, Menlove, R. . . . . HB 213 (P)
Suicide Prevention Plan, Hogue, D. . . . . HB 186 (F)
Unborn Child Pain Prevention Act, Ray, P. . . . . HB 222 (F)
Uniform Interstate Enforcement of Domestic Violence
Protection Orders Act, Hillyard, L. . . . . SB 106 (P)
Utah Child Abuse Prevention Board, Ray, P. . . . . HB 22 (F)

INCOME TAX

Due Date for Filing Electronically Filed Withholding
Returns, Newbold, M. . . . . HB 265 (P)
Earned Income Tax Credit, Biskupski, J. . . . . HB 277 (F)
Income Tax − Education Funding, Shurtliff, L. . . . . HB 84 (F)
Income Tax − Taxation of Individuals, Estates, and Trusts,
Hillyard, L. . . . . SB 37 (P)
Individual Income Tax Amendments, Jones, P. . . . . HB 302 (F)
Individual Income Tax Contribution for Community Spay
and Neuter Programs, Noel, M. . . . . HB 95 (P)
Individual Income Tax Rate Reduction, Ferrin, J. . . . . HB 323 (F)
Individual Income Tax Revisions, Hatch, T. . . . . SB 270 (F)
Individual Income Taxation of Certain Trust
Distributions, Hillyard, L. . . . . SB 38 (P)
Renewable Energy Tax Credit, Allen, S. . . . . HB 42 (F)
Reportable Transactions Act, Stephenson, H. . . . . SB 139 (P)
Tax Amendments, Dougall, J. . . . . HB 354 (F)
Tax Credit for Volunteer Service by a Health Care
Professional, Clark, S. . . . . HB 178 (F)
Tax Revisions, Bramble, C. . . . . SB 242 (F)

INDEPENDENT ENTITIES

Retirement Office Amendments, Hardy, A. . . . . HB 11 (P)
Retirement System Participation, Clark, D. . . . . HB 224 (P)
School and Institutional Trust Lands Amendments, Hatch, T. . . . . SB 217 (F)

INDIAN AFFAIRS

Concurrent Resolution Supporting Goshute Tribe, Peterson, D. . . . SCR 4 (F)
Coordination with Tribal Leaders Amendments, Evans, B. . . . . SB 25 (P)
Navajo Trust Fund Amendments, King, B. . . . . HB 152 (P)
Resolution Opposing Transport and Storage of Spent
Nuclear Fuel, Knudson, P. . . . . SCR 5 (F)

INMATES

Aggravated Assault by Prisoners Amendment, Wyatt, S. . . . . HB 244 (P)
County Jail Work Release Process Amendments, Wyatt, S. . . . . HB 153 (F)
State Long−term Care for Inmates, Biskupski, J. . . . . HB 125 (P)

INSURANCE

Continuing Education in Insurance, Hatch, T. . . . . SB 115 (P)
Insurance Law Amendments, Kiser, T. . . . . HB 272 (P)
Insurance Licensing Amendments, Dunnigan, J. . . . . HB 233 (P)
Insurance Policy and Contract Law Amendments, Kiser, T. . . . . HB 308 (P)
Insurance Related Investment Amendments, Dunnigan, J. . . . . HB 33 (P)
Insurance Reports, Tables, and Examination Amendments,
Dunnigan, J. . . . . HB 34 (P)
Life Insurance and Annuity Law Amendments, Dunnigan, J. . . . . HB 32 (P)
Producer and Affiliate Disclosure Amendments, Evans, B. . . . . SB 114 (F)
Tax on Insurance Premiums, Bramble, C. . . . . SB 136 (P)
Workers' Compensation for the State, Snow, G. . . . . HB 72 (P)

INSURANCE DEPARTMENT

Bailbond Amendments, Hughes, G. . . . . HB 403 (P)
Health Insurance Accessibility, Dunnigan, J. . . . . HB 156 (P)
Insurance Department − Sunset Amendments and
Revisions, Jenkins, S. . . . . SB 14 (P)
Insurance Licensing Amendments, Dunnigan, J. . . . . HB 233 (P)
Insurance Policy and Contract Law Amendments, Kiser, T. . . . . HB 308 (P)
Insurance Reports, Tables, and Examination Amendments,
Dunnigan, J. . . . . HB 34 (P)
Life Insurance and Annuity Law Amendments, Dunnigan, J. . . . . HB 32 (P)

INSURANCE, HEALTH

Amendments Prohibiting Health Insurance
Discrimination, McCoy, S. . . . . SB 42 (F)
Amendments to Utah Comprehensive Health
Insurance Pool, Davis, G. . . . . SB 94 (F)

Comprehensive Health Insurance
Pool Amendments, Wallace, P. . . . . HB 204 (P)
Expiration of Group Health Insurance for Retired Governors
and Legislators, Clark, D. . . . . HB 216 (F)
Health Insurance High Risk Pool Eligibility
Amendments, Litvack, D. . . . . HB 217 (F)
Health Insurance Prompt Pay Amendments, Urquhart, S. . . . . HB 343 (F)
Insurance Amendments − Adoption Indemnity Benefit,
Newbold, M. . . . . HB 199 (P)
Mammography Insurance Coverage, Moss, C. . . . . HB 332 (F)
Medicaid Covered At Work Premium Subsidy, Holdaway, K. . . . . HB 276 (P)
Medicaid Resource Standards and Methodologies, Hogue, D. . . . . HB 197 (F)
Patient Access to Health Care, Ure, D. . . . . HB 279 (F)
Public Employees' Health Plan Option, Hutchings, E. . . . . HB 334 (F)
Resolution Urging Congressional Action on the Tax
Deductibility of Medical Expenses by
Individuals, Hutchings, E. . . . . HJR 2 (P)
Utah Small Business Health Plan, Mascaro, S. . . . . HB 122 (F)

JUDICIARY

Changes to Definitions of a Child and a Minor, Harper, W. . . . . HB 103 (P)
Child Custody Determinations, Fowlke, L. . . . . HB 245 (P)
Child Protection Amendments, Bell, G. . . . . SB 7 (P)
Child Support Amendments, Fowlke, L. . . . . HB 295 (P)
Child Support Bond, Fowlke, L. . . . . HB 360 (F)
Child Support Guidelines, Bell, G. . . . . SB 195 (F)
Children's Justice Center Funding, Buttars, D. C. . . . . SB 216 (F)
Citation Amendments, Walker, M. . . . . HB 106 (F)
Civil Antitrust Amendments, Hillyard, L. . . . . SB 16 (P)
Clarifications to Guardian Ad Litem, Eastman, D. . . . . SB 213 (F)
Commission on Racial and Ethic Fairness, Bourdeaux, D. . . . . HB 104 (F)
Comparative Negligence Amendments, Wyatt, S. . . . . HB 413 (F)
Compensation for Wrongful Conviction and Incarceration,
Litvack, D. . . . . HB 164 (F)
Costs of Divorce, Wallace, P. . . . . HB 322 (P)
District Court Judge, Madsen, M. . . . . SB 159 (P)
Divorce Education Amendments, Fowlke, L. . . . . HB 27 (P)
Divorce Orientation, Fowlke, L. . . . . HB 180 (F)
Emancipation of a Minor, McGee, R. . . . . HB 30 (P)
Garnishment Fees, Mascaro, S. . . . . HB 268 (F)
Grand Jury Amendments, Oda, C. . . . . HB 88 (F)

Guardian Ad Litem Amendments, Christensen, L. . . . . HB 174 (F)
Information Available to Senate Judicial Confirmation
Committee, Buttars, D. C. . . . . SB 142 (F)
Inherent Risk of Skiing Amendments, Hillyard, L. . . . . SB 135 (P)
Inherent Risks of Participating in Recreational Activities
on Property Owned by Local Government, Bowman, D. . . . . HB 207 (P)
Joint Custody Amendments, Christensen, L. . . . . HB 398 (F)
Judicial Conduct Commission Amendments, Waddoups, M. . . . . SB 62 (P)
Judiciary Amendments, Hillyard, L. . . . . SB 171 (P)
Juvenile Court Judge, Hogue, D. . . . . HB 249 (F)
Marriage Preparation Education, McGee, R. . . . . HB 8 (F)
Office of Recovery Services Fee, Tilton, A. . . . . HB 312 (F)
Out−of−state Parent−time Amendments, Fowlke, L. . . . . HB 278 (P)
Parent and Child Amendments, Christensen, L. . . . . HB 148 (P)
Parentage Act Amendments, Fowlke, L. . . . . HB 382 (F)
Parent−time Amendments, Dee, B. . . . . HB 124 (P)
Personal Property and Personal Injury Claim, Bell, G. . . . . SB 230 (F)
Plea in Abeyance Fee, Lawrence, M. S. . . . . HB 247 (P)
Presumptive Personal Representative, Bell, G. . . . . SB 207 (F)
Probate Code Amendments Regarding Homicide, Morgan, K. . . . . HB 63 (P)
Prohibition of Contingent Fees for
Expert Witnesses, Thomas, D. . . . . SB 103 (P)
Protective Order Amendments, Fowlke, L. . . . . HB 290 (F)
Punitive Damages − Discovery of Wealth, Bell, G. . . . . SB 148 (P)
Repeal of Ordination by Internet, Davis, G. . . . . SB 164 (P)
Resolution Regarding Judicial Power, Hughes, G. . . . . HJR 17 (F)
Restitution Amendments, Bell, G. . . . . SB 150 (P)
Restrictions on Use of Physician Disclosures, Thomas, D. . . . . SB 41 (P)
Revocation of Death Benefits by Divorce, Hale, K. . . . . SB 186 (P)
Sex Offender Registration Amendments, Lawrence, M. S. . . . . HB 56 (P)
Sex Offender Registration Revisions, Clark, D. . . . . HB 318 (F)
Statement Under Penalty of Perjury, McCoy, S. . . . . SB 163 (F)
Statute of Limitations on Bodily Injury, Oda, C. . . . . HB 70 (P)
Uniform Mediation Act, Hillyard, L. . . . . SB 61 (P)
Utah Uniform Probate Code Amendments, Romero, R. . . . . HB 282 (F)
Utah's Small Business Equal Access to Justice Act
Amendments, Romero, R. . . . . HB 307 (F)
Voiding Transactions Against Public Policy, Christensen, L. . . . . HB 304 (F)
Weapons Amendments, Madsen, M. . . . . SB 24 (F)

JUVENILES

Alcoholic Beverage Amendments − Eliminating Alcohol Sales to Youth, Knudson, P. . . . . SB 58 (P)
Underage Tattooing Penalty Amendment, Ure, D. . . . . HB 227 (P)

LABOR

Commission Payment Act, Ure, D. . . . . HB 368 (F)
Minimum Wage Amendments, Mayne, E. . . . . SB 43 (F)
Minimum Wage Revisions, Hansen, N. . . . . HB 313 (F)
Resolution Submitting Minimum Wage Question to the Voters, Mayne, E. . . . . SJR 8 (F)
Right to Work Laws, Clark, S. . . . . HB 177 (F)
Utah Employment Act, Donnelson, G. . . . . HB 179 (F)
Workers' Compensation Amendments, Adams, J. S. . . . . HB 463 (F)
Workers' Compensation Revisions, Morley, M. . . . . HB 150 (P)
Workers' Compensation Studies Including Coverage of Firefighters and Drug Officers, Murray, J. . . . . HB 9 (P)

LABOR COMMISSION

Boiler and Elevator Safety Provisions, Mayne, E. . . . . SB 93 (P)
Workers' Compensation Revisions, Morley, M. . . . . HB 150 (P)
Workers' Compensation Studies Including Coverage of Firefighters and Drug Officers, Murray, J. . . . . HB 9 (P)

LABOR ORGANIZATIONS

Right to Work Laws, Clark, S. . . . . HB 177 (F)

LANDLORD − TENANT

Local Governments Restrictions on Limiting Certain Fees, Hughes, G. . . . . HB 250 (P)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

Administrative Rule Criminal Penalty Amendments, Ure, D. . . . . HB 317 (F)
Aggravated Assault by Prisoners Amendment, Wyatt, S. . . . . HB 244 (P)
Aggravated Murder Amendment, Wyatt, S. . . . . HB 208 (P)
Anticamcorder Piracy, Bell, G. . . . . SB 201 (F)
Antiphishing Provisions, Arent, P. . . . . SB 52 (P)
Antitrust Exemption, Wheeler, R. . . . . HB 333 (P)
Bailbond Amendments, Hughes, G. . . . . HB 403 (P)

Commercial Transactions of Personal Property, Lockhart, R. . . . . HB 133 (P)
Compensation for Wrongful Conviction and Incarceration,
Litvack, D. . . . . HB 164 (F)
Controlled Substance Amendments, Oda, C. . . . . HB 60 (P)
Controlled Substance Possession Amendment, Hardy, A. . . . . HB 243 (F)
Correctional Facility Bidding Process, Stephenson, H. . . . . SB 175 (F)
County Jail Work Release Process Amendments, Wyatt, S. . . . . HB 153 (F)
Criminal Identity Fraud Amendments, Walker, C. . . . . SB 184 (P)
Criminal Law Amendments, Dougall, J. . . . . HB 187 (F)
Criminal Penalty Amendments, Litvack, D. . . . . HB 90 (P)
Criminal Penalty for Animal Cruelty, Wyatt, S. . . . . HB 61 (F)
Criminal Procedure Amendment, Wyatt, S. . . . . HB 195 (P)
DNA Database Amendments, Adams, J. S. . . . . HB 212 (P)
DNA Exoneration Testing, Buttars, D. C. . . . . SB 264 (F)
Driving with a Controlled Substance in the Body −
Amendments, Walker, C. . . . . SB 51 (P)
Drug Abuse Amendments, Moss, C. . . . . HB 391 (F)
Drug Offender Reform Act Amendments, Killpack, S. . . . . SB 185 (P)
Enforcement of Controlled Substance Laws, Hogue, D. . . . . HB 362 (F)
Fire Alarm System Certification Requirements, Murray, J. . . . . HB 266 (P)
Jail Funding Amendments, Thomas, D. . . . . SB 50 (P)
Juvenile Offenses − Diversion Amendment, Arent, P. . . . . SB 167 (P)
Law Enforcement Drug Task Force Funding, Hutchings, E. . . . . HB 149 (F)
Malik's Law − Homicide Amendment, Fife, F. . . . . SB 125 (F)
Material Harmful to Minors Amendments, Hogue, D. . . . . HB 257 (F)
Methamphetamine − Restriction on Components, Morley, M. . . . . HB 429 (F)
Organized Retail Theft Offenses, Ray, P. . . . . HB 321 (F)
Petition for Involuntary Medication of Incompetent
Person, Wyatt, S. . . . . HB 414 (P)
Private Probation Provider Amendment, Fowlke, L. . . . . HB 306 (P)
Repeal of Libel Provisions, McCoy, S. . . . . SB 122 (F)
Resolution Supporting Utah Highway Patrol Use of White
Crosses as Roadside Memorials, Ray, P. . . . . HCR 4 (P)
Sentencing Amendments, Urquhart, S. . . . . HB 402 (F)
Sentencing for First Degree Felony Murder, Fowlke, L. . . . . HB 102 (P)
Sex Offender Registration Fee, Fowlke, L. . . . . HB 410 (P)
Sexual Offenses Against Children − Sentencing
Amendments, Ray, P. . . . . HB 161 (P)
State Long−term Care for Inmates, Biskupski, J. . . . . HB 125 (P)
Tampering with Evidence − Amendments, Wallace, P. . . . . HB 421 (F)
Trespass Law Amendments, Gibson, K. . . . . HB 223 (P)

Underage Tattooing Penalty Amendment, Ure, D. . . . . HB 227 (P)
Weapons Amendments, Madsen, M. . . . . SB 24 (F)

LEGISLATIVE AFFAIRS

Appropriation Adjustments, Bigelow, R. . . . . HB 3 (P)
Concurrent Resolution Honoring America's Military
War Dogs, Mayne, E. . . . . SCR 3 (F)
Concurrent Resolution Recognizing Contributions of
Fred C. Adams, Bowman, D. . . . . HCR 6 (P)
Concurrent Resolution Supporting Goshute Tribe, Peterson, D. . . . SCR 4 (F)
Current Fiscal Year Supplemental
Appropriations Act, Bigelow, R. . . . . HB 1 (P)
Department of Financial Institutions Pay Plan, Alexander, J. . . . . HB 430 (P)
Disclosure of Conflict of Interest, Romero, R. . . . . HB 255 (F)
Early Childhood Reading Readiness Resolution, Morgan, K. . . . . HCR 1 (F)
House Rules Resolution − Committee Processing
of Bills, Lockhart, R. . . . . HR 01 (P)
House Rules Resolution − Conflict of Interest
Amendments, Romero, R. . . . . HR 02 (P)
House Rules Resolution − Notification of Ongoing
Negotiation, Hansen, N. . . . . HR 04 (F)
Interim Rules Resolution − Committee Powers, Waddoups, M. . . . . SJR 4 (P)
Interim Rules Resolution − Quorum
Requirements, Waddoups, M. . . . . SJR 3 (P)
Joint Resolution Condemning Use of Torture, McCoy, S. . . . . SJR 5 (F)
Joint Resolution Resolving and Recognizing Juneteenth
Independence Day in Utah, Bourdeaux, D. . . . . HJR 20 (F)
Joint Resolution Supporting Recognition of Topaz and
its History, Wheeler, R. . . . . HJR 19 (F)
Joint Rules Resolution − Amendments Related to Recalling
a Bill from Another House, Hogue, D. . . . . HJR 22 (F)
Joint Rules Resolution − Disclosure of Conflict
of Interest, Romero, R. . . . . HJR 10 (F)
Joint Rules Resolution − Legislative Expense
Reimbursement Process, Last, B. . . . . HJR 18 (F)
Joint Rules Resolution Amending Legislative Expenses, Bell, G. . . . SJR 7 (F)
Legislative Compensation Commission Amendments, Bell, G. . . . . SB 64 (F)
Legislative Direction Relating to United States
Senators, Stephenson, H. . . . . SB 156 (F)
Legislative District Changes to Accommodate
County Boundary Change, Hughes, G. . . . . HB 436 (P)

Master Study Resolution, Knudson, P. . . . . SJR 10 (F)
Performance Audits of Local Governments, Wallace, P. . . . . HB 135 (F)
Resolution Approving Compensation of In−session
Employees, Waddoups, M. . . . . SJR 6 (P)
Resolution Approving Reappointment of Director of
Legislative Research and General Counsel, Knudson, P. . . . . SJR 1 (P)
Resolution Encouraging Family Agricultural
Production, Menlove, R. . . . . HJR 27 (F)
Resolution Encouraging State Research Universities to
Focus on Enhancing State Trust Lands, Hutchings, E. . . . . HJR 28 (F)
Resolution Expressing Opposition to Federal Encroachment
on Education, Cox, D. . . . . HJR 11 (F)
Resolution Opposing Transport and Storage of Spent
Nuclear Fuel, Knudson, P. . . . . SCR 5 (F)
Resolution Opposing United States Supreme Court's
Pornography Decision, Bigelow, R. . . . . HJR 7 (P)
Resolution Supporting Permanent Repeal of Federal
Inheritance Tax, Noel, M. . . . . HR 03 (P)
Resolution Supporting Utah Highway Patrol Use of White
Crosses as Roadside Memorials, Ray, P. . . . . HCR 4 (P)
Resolution Supporting Working Families Economic
Development Initiative, Cosgrove, T. . . . . HJR 23 (P)
Resolution Urging Congress to Resolve Camp Williams
Boundary Issues, Hogue, D. . . . . HCR 5 (F)
Resolution Urging Congressional Action on the Tax
Deductibility of Medical Expenses by
Individuals, Hutchings, E. . . . . HJR 2 (P)
Resolution Urging Congressional Repeal of Federal
Excise Tax on Telecommunications, Christensen, L. . . . . HJR 16 (F)
Resolution Urging Development of Offshore Energy
Resources, Hatch, T. . . . . SCR 2 (F)
Resolution Urging Participation by Taiwan in World
Health Organization, Bramble, C. . . . . SR 03 (P)
Resolution Urging State Agencies to Update References to
Mental Retardation, Hogue, D. . . . . HJR 14 (P)
Revisor's Statute, Waddoups, M. . . . . SB 143 (P)
Senate Rules Resolution − Consent Calendar
Amendments, Waddoups, M. . . . . SR 01 (P)
State Transportation Empowerment Resolution, Tilton, A. . . . . HJR 25 (F)
Sunset Review and Reauthorizations, Alexander, J. . . . . HB 43 (P)
Task Force on Legislative Reforms, Hansen, N. . . . . HB 341 (F)

Utah Athletic Foundation Resolution, Ure, D. . . . . HJR 30 (F)

LEGISLATURE

Expiration of Group Health Insurance for Retired
Governors and Legislators, Clark, D. . . . . HB 216 (F)
Joint Rules Resolution − Disclosure of Conflict of
Interest, Romero, R. . . . . HJR 10 (F)
Legislative District Changes to Accommodate County
Boundary Change, Hughes, G. . . . . HB 436 (P)
Master Study Resolution, Knudson, P. . . . . SJR 10 (F)
Redistricting Amendments, McGee, R. . . . . HB 91 (F)
Resolution Approving Reappointment of Director of
Legislative Research and General Counsel, Knudson, P. . . . . SJR 1 (P)
Revisor's Statute, Waddoups, M. . . . . SB 143 (P)
State Elected Officials Health Plan, Hutchings, E. . . . . HB 157 (F)

LIABILITY

Inherent Risks of Participating in Recreational Activities on
Property Owned by Local Government, Bowman, D. . . . . HB 207 (P)
Liability Protections for Charity Care, Knudson, P. . . . . SB 133 (F)
Motorboat Liability Insurance Amendments, Gibson, K. . . . . HB 242 (P)

LIBRARIES

Development Grants for Libraries, Noel, M. . . . . HB 251 (F)
Preservation of and Access to State Publications, Noel, M. . . . . HB 41 (P)

LICENSURE, HUMAN SERVICES PROGRAMS

Licensure of Programs and Facilities − Criminal
Background Check Amendments, Hatch, T. . . . . SB 173 (P)

LIENS

Construction Standard Amendments, Morley, M. . . . . HB 160 (P)
Filing Liens, Clark, S. . . . . HB 26 (P)
Hospital Lien Amendments, Urquhart, S. . . . . HB 108 (F)
Lien Duration of a Foreign Judgment, Hatch, T. . . . . SB 134 (P)
Mechanics' Lien Amendments, Romero, R. . . . . HB 171 (F)
Mechanics' Lien and Payment Amendments, Jenkins, S. . . . . SB 161 (P)

LIFE INSURANCE

Life Insurance and Annuity Law Amendments, Dunnigan, J. . . . . HB 32 (P)

LIMITED LIABILITY COMPANY

Limited Liability Company Amendments, Adams, J. S. . . . . HB 127 (P)

LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES

Redevelopment Agency Amendments, Bramble, C. . . . . SB 245 (P)
Revisions to Redevelopment Agency Provisions, Bramble, C. . . . . SB 196 (P)

LIVESTOCK

Brand Inspection Amendments, Ure, D. . . . . HB 211 (F)
Wildlife Damage Compensation Act Amendments, Buttars, C. . . . . HB 287 (P)

LOBBYING

Ban on Gifts to Elected Officials, Jones, P. . . . . HB 94 (F)
Lobbyist Gift Limits and Disclosure, Alexander, J. . . . . HB 101 (F)
Revolving Door Limitations for Public Officials to
Become Lobbyists, Moss, C. . . . . HB 121 (F)

LOCAL BOARDS OF EDUCATION

Resolution Encouraging School Boards to Adopt Policy
Prohibiting Bullying, Arent, P. . . . . SCR 1 (P)

LOCAL DISTRICTS

Local Government Amendments, Dee, B. . . . . HB 44 (P)

MARRIAGE / DIVORCE

Child Custody Determinations, Fowlke, L. . . . . HB 245 (P)
Child Support Bond, Fowlke, L. . . . . HB 360 (F)
Costs of Divorce, Wallace, P. . . . . HB 322 (P)
Divorce Orientation, Fowlke, L. . . . . HB 180 (F)
Marriage Preparation Education, McGee, R. . . . . HB 8 (F)
Protective Order Amendments, Fowlke, L. . . . . HB 290 (F)
Repeal of Ordination by Internet, Davis, G. . . . . SB 164 (P)

MEDICAID

Health Care Amendments for Foster Children, Hogue, D. . . . . HB 288 (P)
Medicaid − Pregnant Women Resource Test, Wheatley, M. . . . . HB 128 (F)
Medicaid Dental and Physician Reimbursement
Amendments, Mascaro, S. . . . . HB 24 (F)
Medicaid Generic Drug Reimbursement
Amendments, Walker, M. . . . . HB 105 (P)

Medicaid Task Force, Killpack, S. . . . . SB 152 (F)
Resolution Supporting Medicaid Preferred Drug List for
Acid Reflux and Statins, Mascaro, S. . . . . HJR 4 (F)
Temporary Medicaid Certification of Nursing Home
Beds, Davis, G. . . . . SB 240 (P)

MEDICARE

Resolution Urging Congress to Appropriate Adequate
Funds for Medicare Prescription Drug Coverage
Counseling, Cosgrove, T. . . . . HJR 26 (F)

MENTAL HEALTH

Counseling for Families of Veterans, Cosgrove, T. . . . . HB 407 (P)
Psychologist Licensing Act Amendments, Mayne, E. . . . . SB 95 (P)
Regulation of Restraint, Seclusion, and Emergency
Medication, Hatch, T. . . . . SB 91 (F)

MENTAL HEALTH PROFESSIONAL

Psychologist Licensing Act Amendments, Mayne, E. . . . . SB 95 (P)

MILITARY SERVICES

Amendments to the Property Tax Exemption for
Disabled Veterans, Morley, M. . . . . HB 396 (P)
Benefits for National Guard Members and Families, Hughes, G. . . HB 144 (F)
Concurrent Resolution Honoring America's Military
War Dogs, Mayne, E. . . . . SCR 3 (F)
Counseling for Families of Veterans, Cosgrove, T. . . . . HB 407 (P)
Higher Education Tuition for Active Duty Military, Morley, M. . . . HB 232 (P)
Hill Air Force Base Museum Funding, Christensen, A. . . . . SB 247 (F)
Military and Overseas Citizens Absentee Voter
Amendments, Urquhart, S. . . . . HB 67 (P)
Property Tax Exemption for Veterans, Wheatley, M. . . . . HB 359 (F)
Real Property Disclosures, Hughes, G. . . . . HB 196 (F)
Resolution Providing Property Tax Exemption for Veterans,
Wheatley, M. . . . . HJR 5 (F)
Resolution Urging Congress to Resolve Camp Williams
Boundary Issues, Hogue, D. . . . . HCR 5 (F)
Veteran Survivor and Dependent Higher Education Benefit,
McCoy, S. . . . . SB 212 (F)
Veterans Affairs Amendments, Dee, B. . . . . HB 401 (P)

MINES AND MINING

Mine Safety and Certificate Amendments, Dmitrich, M. . . . . SB 40 (P)
Utah Coal Regulator Program Amendments, Dmitrich, M. . . . . SB 46 (P)

MINORS

Changes to Definitions of a Child and a Minor, Harper, W. . . . . HB 103 (P)
Criminal Law Amendments, Dougall, J. . . . . HB 187 (F)
Driving by Minors Amendments, Hale, K. . . . . SB 118 (P)
Material Harmful to Minors Amendments, Hogue, D. . . . . HB 257 (F)
Privacy of Records Related to Minors, Hutchings, E. . . . . HB 281 (F)
Resolution Regarding the Harmful Effects of Tobacco,
Alcohol, and Drugs on Youth, Hansen, N. . . . . HCR 3 (P)

MORTGAGE

Real Estate Related Regulation, Transactions,
and Construction, Ray, P. . . . . HB 159 (F)
Real Property − Partial Release or Partial
Reconveyance, Hatch, T. . . . . SB 205 (P)

MOTION PICTURES

Anticamcorder Piracy, Bell, G. . . . . SB 201 (F)

MOTOR FUEL AND SPECIAL FUEL TAXES

Corporate Franchise and Income Tax Credits for Biodiesel
Fuel Production, Noel, M. . . . . HB 385 (F)

MOTOR VEHICLE INSURANCE

Motor Vehicle Insurance Amendments, Killpack, S. . . . . SB 224 (P)
Uninsured Motorist Identification Database Program
Amendments, Murray, J. . . . . HB 17 (P)

MOTOR VEHICLES

Clean Fuel Vehicle Fund Amendments, Gowans, J. . . . . HB 93 (P)
Driving by Minors Amendments, Hale, K. . . . . SB 118 (P)
Driving Under the Influence Amendments, Walker, C. . . . . SB 18 (P)
Golf Carts Allowed on Certain Streets, Moss, C. . . . . HB 280 (F)
License Plate Amendments, Eastman, D. . . . . SB 63 (F)
Limitation on Local Highway Authorities, Harper, W. . . . . HB 423 (P)
Mercury Switch Removal Act, Menlove, R. . . . . HB 138 (P)

Motor Vehicle Business Regulation Amendments, Painter, P. . . . . HB 283 (P)
Motor Vehicle Insurance Amendments, Killpack, S. . . . . SB 224 (P)
Motor Vehicle Lease Agreements, Madsen, M. . . . . SB 180 (P)
Motor Vehicle Registration Amendments, Killpack, S. . . . . SB 129 (P)
Native American Special Group License Plates, Wyatt, S. . . . . HB 344 (F)
Pedestrians' Right−of−way Amendments, Daw, B. . . . . HB 96 (F)
Public Safety Vehicles − Marking Lights, Murray, J. . . . . HB 235 (P)
Registration and Title Provisions, Eastman, D. . . . . SB 226 (P)
Revenue Flow from Speeding Violations, Hickman, J. . . . . SB 54 (F)
Safety Belt Enforcement Amendments, Hale, K. . . . . SB 98 (F)
Seat Belt Amendments, Murray, J. . . . . HB 234 (F)
Special License Plate for Utah Shakespearean Festival,
Bowman, D. . . . . HB 166 (F)
Speed Contest or Exhibition Amendments, Hale, K. . . . . SB 193 (P)
Support Our Troops Special Group License Plate, Buxton, D. G. . . HB 404 (F)
Title to Manufactured Housing or Mobile Homes, Hatch, T. . . . . SB 107 (P)
Traffic Code Revisions, Dunnigan, J. . . . . HB 342 (F)
Traffic Tickets and Convictions, Buttars, D. C. . . . . SB 138 (F)
Uninsured Motorist Identification Database Program
Amendments, Murray, J. . . . . HB 17 (P)

MUSEUMS

Office of Museum Services, Arent, P. . . . . SB 23 (P)

NATURAL GAS

Municipal Energy Sales and Use Tax Amendments, Hughes, G. . . . HB 309 (P)

NATURAL RESOURCES

Age Amendments for Hunting Big Game, Oda, C. . . . . HB 329 (F)
Bear River Development Act, Adams, J. S. . . . . HB 45 (P)
Boating Registration Fee, Cox, D. . . . . HB 305 (F)
Conservation Easement Restricted Accounts, Evans, B. . . . . SB 67 (P)
Department of Natural Resources Amendments, Wheeler, R. . . . . HB 361 (F)
Eliminating the Age Requirement for Hunting
Small Game, Oda, C. . . . . HB 328 (P)
Groundwater Management Plan, Ure, D. . . . . HB 228 (P)
Irrigation Companies − Nonprofit Corporation
Amendments, Gowans, J. . . . . HB 444 (F)
Lake Powell Pipeline Development Act, Hatch, T. . . . . SB 27 (P)
Mine Safety and Certificate Amendments, Dmitrich, M. . . . . SB 40 (P)
Natural Resources Development, Dmitrich, M. . . . . SB 241 (P)

Oil and Gas Conservation Account Amendments, Dmitrich, M. .... SB 45 (F)
Rangeland Improvement Act, Johnson, B. ..... HB 145 (P)
State Parks − Senior Permits, Allen, S. ..... HB 405 (F)
Utah Coal Regulator Program Amendments, Dmitrich, M. ..... SB 46 (P)
Water Company Amendments, Ure, D. ..... HB 48 (P)
Water Issues Task Force, Ure, D. ..... HB 357 (P)
Water Reuse Requirements, Ferry, B. ..... HB 38 (P)
Water Right Application Amendment, Hatch, T. ..... SB 177 (P)
Waterfowl Stamp Implementation, Clark, S. ..... HB 336 (F)
Wildland Fire Suppression Amendments, Thomas, D. ..... SB 65 (P)
Wildlife Damage Compensation Act Amendments, Buttars, C. .... HB 287 (P)

NOTARY PUBLIC

Public Notary Amendments, Romero, R. ..... HB 165 (F)

NUMBERED BY SHORT TITLE

Acupuncture Licensing Act Amendments, Donnelson, G. ..... HB 373 (F)
Amendments to General Government, Davis, G. ..... SB 263 (F)
Amendments to General Government Provisions, Davis, G. ..... SB 239 (F)
Antidiscrimination Law Amendments, Alexander, J. ..... HB 455 (F)
Archeological Resources Amendments, Johnson, B. ..... HB 349 (F)
Banning Foreign Radioactive Waste Storage in Utah, Bell, G. .... SB 251 (F)
Changes to General Government, Ure, D. ..... HB 425 (F)
Changes to General Government Law, King, B. ..... HB 450 (F)
Changes to Government Law, Ferry, B. ..... HB 183 (F)
Community and Economic Development Amendments, Davis, G. . SB 238 (F)
County Amendments, Morgan, K. ..... HB 431 (F)
County Personnel Management Act Amendments, Davis, G. ..... SB 261 (F)
Criminal Code Amendment, King, B. ..... HB 442 (F)
Criminal Code Amendments, Dmitrich, M. ..... SB 253 (F)
Criminalizing Caller − ID Spoofing, Hogue, D. ..... HB 439 (F)
Custody Amendments, Bell, G. ..... SB 194 (F)
Drug and Alcohol Overdose − Amnesty, Fife, F. ..... SB 255 (F)
Economic Development Amendments, Wyatt, S. ..... HB 449 (F)
Education Amendments, Bigelow, R. ..... HB 377 (F)
Employee Noncompetition Contracts, Mayne, E. ..... SB 197 (F)
Employer Restrictions on Employee Possession of
Firearms in Parking Lot, Madsen, M. ..... SB 211 (F)
Expansion of Career Service to the Office of Attorney
General and State Board of Education, Noel, M. ..... HB 454 (F)
General Obligation Authorizations, Buxton, D. G. ..... HB 2 (F)

Government Boundary Changes, Holdaway, K. . . . . HB 378 (F)
Government Law Amendments, Gibson, K. . . . . HB 182 (F)
Governmental Amendments, Becker, R. . . . . HB 451 (F)
Grape Agriculture Development Act, Dmitrich, M. . . . . SB 243 (F)
Health Scientists Amendments, Noel, M. . . . . HB 419 (F)
Income Tax Credit for Taxpayers, Kiser, T. . . . . HB 392 (F)
Incorporation of a Town Amendments, Ure, D. . . . . HB 426 (F)
Individual Income Tax Contributions, Clark, S. . . . . HB 411 (F)
Installation and Servicing of Furnaces and Air
Conditioning, Hellewell, P. . . . . SB 235 (F)
Joint Resolution − Modification of Legislative
Compensation Commission Recommendations, Last, B. . . . . HJR 21 (F)
Limitations on Studded Tires, Walker, M. . . . . HB 445 (F)
Local Aging and Adult Services Amendments, Lockhart, R. . . . . HB 415 (F)
Local Government Boundary Changes, Hogue, D. . . . . HB 456 (F)
Local Government Disaster Contingency Funding, Oda, C. . . . . HB 389 (F)
Military Life Insurance Premium, Bell, G. . . . . SB 82 (F)
Minor Contract Disaffirmance Amendments, Romero, R. . . . . HB 358 (F)
Missing Person Amendments, Morgan, K. . . . . HB 443 (F)
Municipal Regulation of Publicly Owned Regional
Utility Plants, Waddoups, M. . . . . SB 81 (F)
Off−highway Vehicles − Street Legal on
Certain Roads, Last, B. . . . . HB 395 (F)
Parent Time on Certain Holidays, Cosgrove, T. . . . . HB 459 (F)
Pawn Shop Transaction Amendments, Romero, R. . . . . HB 409 (F)
Phlebotomy Standards, Wheatley, M. . . . . HB 406 (F)
Privatization of Workers Compensation Fund, Hatch, T. . . . . SB 231 (F)
Property Taxes on Golf Courses and Other Open Space, Bell, G. . . SB 223 (F)
Public Private Partnerships For Sport Facility, Killpack, S. . . . . SB 257 (F)
Purchase of Retirement Service Credit Amendments, Hansen, N. . . HB 376 (F)
Recycling Zone Amendments, Eastman, D. . . . . SB 250 (F)
Regulation of Unconscionable Provisions in Purchase,
Renew, and Return Type Leases, Bramble, C. . . . . SB 218 (F)
Removal of Certain Cases from County Attorney to
Attorney General, Madsen, M. . . . . SB 266 (F)
Resolution on Education Funding Priorities, Moss, C. . . . . HJR 24 (F)
Resolution Recognizing Flag of Free Vietnam, Madsen, M. . . . . SJR 11 (F)
Resort Tax, Waddoups, M. . . . . SB 248 (F)
Resort Tax Amendments, Davis, G. . . . . SB 265 (F)
Sales and Use Tax − Single Rate Per County, Bell, G. . . . . SB 83 (F)
Savings Initiative for Welfare Recipients, Hogue, D. . . . . HB 387 (F)

School District Methodology, Hellewell, P. . . . . SB 87 (F)
Special Transit District Amendments, Lockhart, R. . . . . HB 400 (F)
Student Vehicle Emissions, Madsen, M. . . . . SB 262 (F)
Suspension of Fishing and Hunting License and Permit
Privileges for Failure to Pay Child Support, Fisher, Julie . . . . . HB 173 (F)
Task Force on Services for People with a
Disability, Mascaro, S. . . . . HB 440 (F)
Teacher Curriculum Training, Hellewell, P. . . . . SB 219 (F)
Telecommunications Amendments, Davis, G. . . . . SB 237 (F)
Telephone Service Amendments, Gowans, J. . . . . HB 422 (F)
Transportation Amendments, Ure, D. . . . . HB 175 (F)
Unemployment Tax Amendments, Newbold, M. . . . . HB 375 (F)
Uninsured Motorist Database Amendments, Clark, D. . . . . HB 380 (F)
Utility Regulatory Reform, Gowans, J. . . . . HB 356 (F)
Vehicle Titling Amendments, Hendrickson, N. . . . . HB 424 (F)

OCCUPATIONAL LICENSING

Athletic Trainer Licensing Act, Ray, P. . . . . HB 74 (P)
Certification of Crane Operators, Davis, G. . . . . SB 92 (P)
Direct−entry Midwife Act − Repealers, Biskupski, J. . . . . HB 237 (P)
Environmental Health Scientist Modifications, Noel, M. . . . . HB 189 (F)
Physician Licensing Amendments, Evans, B. . . . . SB 160 (P)
Plumbing License Qualifications Amendments, Hellewell, P. . . . . SB 68 (P)
Providing Health Care Service − Exemptions from
Licensure, Daw, B. . . . . HB 136 (F)
Regulation of Construction Industry, Wiley, L. . . . . HB 325 (F)
Servicing of Heating or Cooling Duct Systems, Hellewell, P. . . . . SB 234 (P)
Veterinary Practice Act Amendments, Mathis, J. . . . . HB 284 (P)

OCCUPATIONS AND PROFESSIONS

Athletic Trainer Licensing Act, Ray, P. . . . . HB 74 (P)
Certification of Crane Operators, Davis, G. . . . . SB 92 (P)
Construction Standard Amendments, Morley, M. . . . . HB 160 (P)
Contact Lens Consumer Protection Act, Bramble, C. . . . . SB 176 (P)
Direct Sales Amendments, Madsen, M. . . . . SB 182 (P)
Direct−entry Midwife Act − Repealers, Biskupski, J. . . . . HB 237 (P)
Environmental Health Scientist Modifications, Noel, M. . . . . HB 189 (F)
Home Inspection Standards, McCoy, S. . . . . SB 44 (F)
Medication Aide Certified, Lockhart, R. . . . . HB 137 (P)
Plumbing License Qualifications Amendments, Hellewell, P. . . . . SB 68 (P)
Private Investigator Regulation Act Amendments, Hellewell, P. . . . SB 188 (F)

Providing Health Care Service − Exemptions from
Licensure, Daw, B. . . . . HB 136 (F)
Regulation of Construction Industry, Wiley, L. . . . . HB 325 (F)
Regulation of Direct Pathology Billing, Bell, G. . . . . SB 145 (F)
Respiratory Care Amendments, Last, B. . . . . HB 262 (P)
Servicing of Heating or Cooling Duct Systems, Hellewell, P. . . . . SB 234 (P)
Veterinary Practice Act Amendments, Mathis, J. . . . . HB 284 (P)

OFFENSES

Aggravated Assault by Prisoners Amendment, Wyatt, S. . . . . HB 244 (P)
Aggravated Murder Amendment, Wyatt, S. . . . . HB 208 (P)
Controlled Substance Amendments, Oda, C. . . . . HB 60 (P)
Criminal Penalty Amendments, Litvack, D. . . . . HB 90 (P)
Disclosure of Conflict of Interest, Romero, R. . . . . HB 255 (F)
DNA Database Amendments, Adams, J. S. . . . . HB 212 (P)
Enforcement of Controlled Substance Laws, Hogue, D. . . . . HB 362 (F)
Grand Jury Amendments, Oda, C. . . . . HB 88 (F)
Malik's Law − Homicide Amendment, Fife, F. . . . . SB 125 (F)
Repeal of Libel Provisions, McCoy, S. . . . . SB 122 (F)
Restitution Amendments, Bell, G. . . . . SB 150 (P)
Statute of Limitations on Bodily Injury, Oda, C. . . . . HB 70 (P)

OFF−HIGHWAY VEHICLES

Motor Vehicle Registration Checkoff for Protecting Access to
Public Lands and Off−highway Vehicle Education, Noel, M. . . HB 141 (F)
Off−highway Vehicle Amendments, Dee, B. . . . . HB 355 (F)
Repeal of Off−highway Vehicle Registration Number, Hatch, T. . . . SB 119 (P)

OIL AND GAS

Oil and Gas Conservation Account Amendments, Dmitrich, M. . . . . SB 45 (F)

PARKS

State Parks − Senior Permits, Allen, S. . . . . HB 405 (F)

PAWNSHOPS

Commercial Transactions of Personal Property, Lockhart, R. . . . . HB 133 (P)

PEDESTRIAN SAFETY

Pedestrians' Right−of−way Amendments, Daw, B. . . . . HB 96 (F)

POLITICAL SUBDIVISIONS (LOCAL ISSUES)

Amendments to County and Municipal Land
Use Provisions, Bell, G. . . . . SB 155 (P)

Changes to Local Government Provisions, Mansell, L. A. . . . . SB 267 (P)
Civil Service Commissions, Jenkins, S. . . . . SB 229 (P)
County Assistance to Nonprofit Entities, Thomas, D. . . . . SB 101 (P)
County Director of Personnel Management Amendments,
Hatch, T. . . . . SB 246 (P)
County Government Amendments, Peterson, D. . . . . SB 249 (P)
County Officer Amendments, Thomas, D. . . . . SB 100 (P)
County Officer Revisions, Walker, C. . . . . SB 105 (F)
County Officers Amendments, Menlove, R. . . . . HB 57 (P)
County Ordinance Amendments, Wiley, L. . . . . HB 210 (P)
County Recorder Amendments, Thomas, D. . . . . SB 99 (P)
Density Credit for Land Donated to School District, Cox, D. . . . . HB 319 (F)
Disaster Response and Recovery Act, Adams, J. S. . . . . HB 123 (P)
Eminent Domain Amendments, Stephenson, H. . . . . SB 117 (P)
Eminent Domain Changes, Jenkins, S. . . . . SB 210 (F)
Eminent Domain Limitation on Political Subdivisions, Ferry, B. . . HB 168 (F)
Eminent Domain Requirements, Ure, D. . . . . HB 275 (F)
Industrial Protection Act, Menlove, R. . . . . HB 241 (P)
Lien Duration of a Foreign Judgment, Hatch, T. . . . . SB 134 (P)
Limitation on Local Highway Authorities, Harper, W. . . . . HB 423 (P)
Local Fire Officials Authority, Ure, D. . . . . HB 116 (F)
Local Government Amendments, Dee, B. . . . . HB 44 (P)
Local Government Land Use and Impact Fee Revisions,
Mansell, L. A. . . . . SB 170 (F)
Local Governments Form of Government, Wallace, P. . . . . HB 206 (F)
Local Governments Restrictions on Limiting Certain Fees,
Hughes, G. . . . . HB 250 (P)
Local Land Use Provisions Relating to Schools, Ferrin, J. . . . . HB 172 (P)
Local Land Use Requirements, Morley, M. . . . . HB 132 (P)
Moratorium on Issuing Sales Tax Revenue Bonds by
Local Governments, Hillyard, L. . . . . SB 166 (F)
Municipal Building Inspectors Availability, Tilton, A. . . . . HB 420 (F)
Municipal Energy Sales and Use Tax
Amendments, Hughes, G. . . . . HB 309 (P)
Notice Requirements for Budget Transfers from
Utility Funds, Tilton, A. . . . . HB 36 (P)
Performance Audits of Local Governments, Wallace, P. . . . . HB 135 (F)
Providing for Indigent Defense, Bell, G. . . . . SB 149 (P)
Redevelopment Agency Amendments, Bramble, C. . . . . SB 245 (P)
Removal of County or Prosecution District Officer
Amendments, Wyatt, S. . . . . HB 274 (P)

Repeal of Obsolete Dependent Special Districts, Fisher, Julie . . . . . HB 205 (P)
Resolution Enlarging Revenues and Assets in State
Trust Fund, Hillyard, L. . . . . SJR 2 (F)
Revisions to Redevelopment Agency Provisions, Bramble, C. . . . . SB 196 (P)
Standardizing Documents Filed with the County
Recorder, Frank, C. . . . . HB 448 (F)
Surplus Lands Amendments, Walker, M. . . . . HB 446 (P)
Township Amendments, Christensen, L. . . . . HB 29 (P)
Transportation Funding Amendments, Dougall, J. . . . . HB 162 (F)
Use of Eminent Domain, Tilton, A. . . . . HB 292 (F)
Utility Improvement Districts Revisions, Ure, D. . . . . HB 6 (P)
Vacating or Changing a Subdivision Plat, Knudson, P. . . . . SB 127 (P)
Vehicles Used for Agricultural Purposes, Gibson, K. . . . . HB 383 (P)
Water Conservancy District Amendments, Hatch, T. . . . . SB 111 (P)
Water Reuse Requirements, Ferry, B. . . . . HB 38 (P)

PORNOGRAPHY

Resolution Opposing United States Supreme Court's
Pornography Decision, Bigelow, R. . . . . HJR 7 (P)

PROBATION

Private Probation Provider Amendment, Fowlke, L. . . . . HB 306 (P)

PROPERTY INSURANCE

Task Force Studying Natural Disasters, Kiser, T. . . . . HB 434 (F)

PROPERTY TAX

Exemptions to Residential Property Tax, Mayne, E. . . . . SB 192 (F)
Levies for the Assessment and Collection of Property Taxes,
Stephenson, H. . . . . SB 221 (P)
Motor Vehicle Registration Amendments, Killpack, S. . . . . SB 129 (P)
Personal Property Tax Amendments, Dougall, J. . . . . HB 386 (F)
Property Tax − Intangible Property, Bramble, C. . . . . SB 198 (P)
Property Tax − Notice and Hearing Amendments, Bell, G. . . . . SB 151 (F)
Property Tax − Refunding Tax Prepayments, Hunsaker, F. . . . . HB 86 (P)
Property Tax Exemption for Business Personal Property,
Dougall, J. . . . . HB 338 (P)
Property Tax Revisions, Newbold, M. . . . . HB 261 (P)
Requirement of Property Tax Increase Advertisement,
Hughes, G. . . . . HB 256 (P)

School Districts − Limited Amendments to
Truth in Taxation, Dmitrich, M. . . . . SB 36 (P)

PROPERTY TAX RELIEF

Amendments to the Property Tax Exemption for
Disabled Veterans, Morley, M. . . . . HB 396 (P)
Property Tax − Circuit Breaker Qualifying Limits, Harper, W. . . . . HB 55 (P)
Property Tax Exemption for Veterans, Wheatley, M. . . . . HB 359 (F)
Resolution Limiting Property Tax on Primary
Residence, Hogue, D. . . . . HJR 6 (F)
Resolution Providing Property Tax Exemption
for Veterans, Wheatley, M. . . . . HJR 5 (F)

PUBLIC EDUCATION

Addressing Major Disruptions by Public School Students,
Hutchings, E. . . . . HB 412 (F)
Adjustments in Funding for Concurrent Enrollment, Dayton, M. . . HB 151 (P)
Alternative School Building Plans, Buttars, D. C. . . . . SB 78 (F)
Appropriation for Highly Qualified Teachers, Holdaway, K. . . . . HB 285 (P)
Basic Skills Competency Test Requirements, Morgan, K. . . . . HB 441 (F)
Beginning Teacher Enhancements, Gowans, J. . . . . HB 98 (F)
Care of Students with Diabetes in School, Arent, P. . . . . SB 8 (P)
Carson Smith Scholarship Program Amendments, Newbold, M. . . . HB 351 (P)
Class Size Reduction, Moss, C. . . . . HB 134 (F)
Education Accountability, Bourdeaux, D. . . . . HB 185 (F)
Education Funding Amendments, Dee, B. . . . . HB 340 (F)
Education Information Technology Systems, Holdaway, K. . . . . HB 82 (P)
Education Reform, Urquhart, S. . . . . HB 181 (P)
Education Resources Conservation Program, Biskupski, J. . . . . HB 337 (F)
Education Testing and Graduation Amendments, Hansen, N. . . . . HB 155 (F)
Educator Phonics Requirements, Cox, D. . . . . HB 447 (F)
Fee Waiver Eligibility Verification, Holdaway, K. . . . . HB 201 (F)
Foreign Exchange Student Amendments, Hendrickson, N. . . . . HB 202 (F)
Full−day Kindergarten, Holdaway, K. . . . . HB 107 (F)
Funding English as a Second Language, Bourdeaux, D. . . . . HB 399 (F)
High School Curriculum and Graduation, Daw, B. . . . . HB 230 (F)
High School Diploma Amendments, Holdaway, K. . . . . HB 374 (F)
High School Graduation Amendments, Madsen, M. . . . . SB 204 (F)
Home School and Dual Enrollment Amendments, Madsen, M. . . . . SB 72 (F)
Income Tax − Education Funding, Shurtliff, L. . . . . HB 84 (F)
Instructional Expenses Requirements, Hughes, G. . . . . HB 143 (F)

Kindergarten Readiness, Shurtliff, L. . . . . HB 226 (P)
Medical Recommendations for Children, Morley, M. . . . . HB 299 (F)
Minimum School Program Base Budget Amendments,
Stephenson, H. . . . . SB 3 (P)
Parent Choice in Education Act, Adams, J. S. . . . . HB 184 (F)
Public Education − Instruction and Policy Relating to the
Origins of Species, Buttars, D. C. . . . . SB 96 (F)
Public Education Accountability, Bourdeaux, D. . . . . HB 416 (F)
Public Education Club Amendments, Tilton, A. . . . . HB 393 (F)
Public Education Consolidated Report, Dayton, M. . . . . HB 408 (F)
Public Education Job Enhancement Program Amendments,
Menlove, R. . . . . HB 252 (F)
Reading Requirements for Student Advancement, Morgan, K. . . . . HB 62 (F)
School Busing Amendments, Cox, D. . . . . HB 297 (F)
School Community Council Amendments, Arent, P. . . . . SB 49 (P)
School Community Council Powers, Madsen, M. . . . . SB 199 (F)
School Community Councils, Fisher, Julie . . . . . HB 99 (F)
School Discipline Research Project, Fowlke, L. . . . . HB 190 (F)
School District Boundaries, Cox, D. . . . . HB 77 (P)
School District Enrollment Diversity, Bourdeaux, D. . . . . HB 176 (F)
School Fee Waiver Amendments, Shurtliff, L. . . . . HB 68 (F)
School Reporting Amendments, Morgan, K. . . . . HB 435 (F)
School Truancy Amendments, Hutchings, E. . . . . HB 253 (F)
School Uniforms, Frank, C. . . . . HB 167 (P)
Schools for the Deaf and Blind Salary Adjustment, Morgan, K. . . . HB 218 (P)
Secondary School Amendments, Buttars, D. C. . . . . SB 56 (P)
Student Club Amendments, Buttars, D. C. . . . . SB 97 (F)

PUBLIC FUNDS AND ACCOUNTS

Creation of Education Fund, Alexander, J. . . . . HB 294 (P)
Investment of Land Grant Trust Funds, Clark, D. . . . . HB 78 (P)
Law Enforcement Drug Task Force Funding, Hutchings, E. . . . . HB 149 (F)
Notice Requirements for Budget Transfers from
Utility Funds, Tilton, A. . . . . HB 36 (P)
Post−retirement Benefits Trust Fund, Clark, D. . . . . HB 381 (F)
Traumatic Brain Injury Fund, Gowans, J. . . . . HB 388 (F)
Use of Disaster Loan Funds, Clark, D. . . . . HB 87 (P)
Use of Oil and Gas Tax Revenues, Hillyard, L. . . . . SB 202 (F)

PUBLIC MEETINGS

Electronic Meeting Amendment, Hillyard, L. . . . . SB 12 (P)

Open and Public Meetings Act Revisions, Hellewell, P. . . . . SB 9 (P)
Open Meetings Law Amendments, Harper, W. . . . . HB 14 (P)
Revisions to Open and Public Meetings Law, Donnelson, G. . . . . HB 16 (P)

PUBLIC SAFETY

Aggravated Assault by Prisoners Amendment, Wyatt, S. . . . . HB 244 (P)
Concealed Firearms Instructors, Oda, C. . . . . HB 350 (P)
Fire Alarm System Certification Requirements, Murray, J. . . . . HB 266 (P)
Private Investigator Regulation Act Amendments, Hellewell, P. . . . SB 188 (F)
Public Safety Retirement Amendments, Frank, C. . . . . HB 163 (F)
Public Safety Retirement for Dispatchers, Bowman, D. . . . . HB 146 (F)
Public Safety Retirement Revisions, Clark, D. . . . . HB 240 (F)
Public Safety Vehicles − Marking Lights, Murray, J. . . . . HB 235 (P)
State Public Safety Retirement Conversion Window,
Newbold, M. . . . . HB 345 (F)
Transportation of Children in Kindergarten
Through Sixth Grade, Mayne, E. . . . . SB 126 (F)
Underage Tattooing Penalty Amendment, Ure, D. . . . . HB 227 (P)

PUBLIC SERVICE COMMISSION

Costs of Intervention in Public Service Commission
Proceedings, Gowans, J. . . . . HB 191 (F)

PUBLIC TRANSIT DISTRICTS

Responsibilities of Public Transit Districts, McCoy, S. . . . . SB 227 (F)
Transit Security Amendments, Bramble, C. . . . . SB 256 (P)

PUBLIC UTILITIES

Costs of Intervention in Public Service Commission
Proceedings, Gowans, J. . . . . HB 191 (F)
Notice Requirements for Budget Transfers from
Utility Funds, Tilton, A. . . . . HB 36 (P)
Statewide 911 Emergency Communication
Amendments, Dee, B. . . . . HB 198 (P)
Telephone Solicitation Amendments, Hellewell, P. . . . . SB 203 (F)
Utility Improvement Districts Revisions, Ure, D. . . . . HB 6 (P)

RADIATION

Process for Approval of Waste Disposal Amendments,
Stephenson, H. . . . . SB 70 (P)

Radiation Control Act − Bond Requirements, Tilton, A. . . . . HB 335 (F)
Resolution Opposing Transport and Storage of Spent
Nuclear Fuel, Knudson, P. . . . . SCR 5 (F)

RAILROADS

Expenditure of Local Option Transportation Tax
Revenue, Ferry, B. . . . . HB 372 (P)

REAL ESTATE

Community Association Act Amendments, Waddoups, M. . . . . SB 168 (P)
County Recorder Amendments, Thomas, D. . . . . SB 99 (P)
Home Inspection Standards, McCoy, S. . . . . SB 44 (F)
Homeowners Association Provisions, Hickman, J. . . . . SB 90 (F)
Joint Tenancy Amendments, Hatch, T. . . . . SB 130 (P)
Real Estate Amendments, Snow, G. . . . . HB 315 (P)
Real Estate Related Regulation, Transactions, and
Construction, Ray, P. . . . . HB 159 (F)
Real Property − Partial Release or Partial
Reconveyance, Hatch, T. . . . . SB 205 (P)
Real Property Disclosures, Hughes, G. . . . . HB 196 (F)
Revolving Credit Line Trust Deed, Hatch, T. . . . . SB 128 (P)
Uniform Environmental Covenants Act, Hillyard, L. . . . . SB 153 (P)

RECODIFICATION

Joint Rules Resolution − Recodification and
Revisions, Lockhart, R. . . . . HJR 9 (P)

RECREATION

Boating Registration Fee, Cox, D. . . . . HB 305 (F)
Golf Carts Allowed on Certain Streets, Moss, C. . . . . HB 280 (F)
Inherent Risk of Skiing Amendments, Hillyard, L. . . . . SB 135 (P)
Pete Suazo Athletic Commission Amendments, Hughes, G. . . . . HB 460 (F)

RECYCLING

Electronic Waste Task Force and Moratorium on
Electronic Waste Disposal, McCoy, S. . . . . SB 215 (F)

REDEVELOPMENT AGENCIES

Eminent Domain Changes, Jenkins, S. . . . . SB 210 (F)
Redevelopment Agency Amendments, Bramble, C. . . . . SB 245 (P)

Revisions to Redevelopment Agency Provisions, Bramble, C. .... SB 196 (P)

REDISTRICTING

Legislative District Changes to Accommodate County
Boundary Change, Hughes, G. ..... HB 436 (P)
Redistricting Amendments, McGee, R. ..... HB 91 (F)

REGISTRATION AND REGISTRATION FEES

License Plate Amendments, Eastman, D. ..... SB 63 (F)
Motor Vehicle Registration Amendments, Killpack, S. ..... SB 129 (P)
Motor Vehicle Registration Checkoff for Protecting Access to
Public Lands and Off−highway Vehicle Education, Noel, M. .. HB 141 (F)
Native American Special Group License Plates, Wyatt, S. ..... HB 344 (F)
Registration and Title Provisions, Eastman, D. ..... SB 226 (P)
Repeal of Off−highway Vehicle Registration Number, Hatch, T. ... SB 119 (P)
Special License Plate for Utah Shakespearean Festival,
Bowman, D. ..... HB 166 (F)
Support Our Troops Special Group License Plate, Buxton, D. G. .. HB 404 (F)
Title to Manufactured Housing or Mobile Homes, Hatch, T. ..... SB 107 (P)

RESOLUTIONS

Concurrent Resolution Honoring America's Military
War Dogs, Mayne, E. ..... SCR 3 (F)
Concurrent Resolution Recognizing Contributions of
Fred C. Adams, Bowman, D. ..... HCR 6 (P)
Concurrent Resolution Supporting Goshute Tribe, Peterson, D. ... SCR 4 (F)
Early Childhood Reading Readiness Resolution, Morgan, K. ..... HCR 1 (F)
House Rules Resolution − Committee Processing
of Bills, Lockhart, R. ..... HR 01 (P)
House Rules Resolution − Conflict of Interest
Amendments, Romero, R. ..... HR 02 (P)
House Rules Resolution − Notification of Ongoing
Negotiation, Hansen, N. ..... HR 04 (F)
Interim Rules Resolution − Committee Powers, Waddoups, M. .... SJR 4 (P)
Interim Rules Resolution − Quorum Requirements, Waddoups, M. . SJR 3 (P)
Joint Resolution Condemning Use of Torture, McCoy, S. ..... SJR 5 (F)
Joint Resolution Raising Public Awareness of Vital Role
of Paraeducators, Menlove, R. ..... HJR 15 (P)
Joint Resolution Resolving and Recognizing Juneteenth
Independence Day in Utah, Bourdeaux, D. ..... HJR 20 (F)
Joint Resolution Supporting Garfield County Expansion
of Correctional Facilities, Noel, M. ..... HJR 12 (F)

Joint Resolution Supporting Recognition of Topaz
and its History, Wheeler, R. . . . . HJR 19 (F)
Joint Rules Resolution − Amendments Related to
Recalling a Bill from Another House, Hogue, D. . . . . HJR 22 (F)
Joint Rules Resolution − Base Budget Process, Bigelow, R. . . . . HJR 3 (P)
Joint Rules Resolution − Disclosure of Conflict of
Interest, Romero, R. . . . . HJR 10 (F)
Joint Rules Resolution − Legislative Expense
Reimbursement Process, Last, B. . . . . HJR 18 (F)
Joint Rules Resolution − Recodification and
Revisions, Lockhart, R. . . . . HJR 9 (P)
Joint Rules Resolution Amending Legislative Expenses, Bell, G. . . . SJR 7 (F)
Master Study Resolution, Knudson, P. . . . . SJR 10 (F)
Resolution Approving Compensation of
In−session Employees, Waddoups, M. . . . . SJR 6 (P)
Resolution Approving Reappointment of Director
of Legislative Research and General Counsel, Knudson, P. . . . . SJR 1 (P)
Resolution Encouraging Family Agricultural
Production, Menlove, R. . . . . HJR 27 (F)
Resolution Encouraging School Boards to Adopt
Policy Prohibiting Bullying, Arent, P. . . . . SCR 1 (P)
Resolution Encouraging State Research Universities to
Focus on Enhancing State Trust Lands, Hutchings, E. . . . . HJR 28 (F)
Resolution Encouraging Utah Schools to Educate Children
Regarding Risks of Sun Exposure, Arent, P. . . . . SR 02 (P)
Resolution Enlarging Revenues and Assets in State
Trust Fund, Hillyard, L. . . . . SJR 2 (F)
Resolution Expressing Opposition to Federal Encroachment
on Education, Cox, D. . . . . HJR 11 (F)
Resolution Limiting Property Tax on Primary
Residence, Hogue, D. . . . . HJR 6 (F)
Resolution Opposing Transport and Storage of Spent
Nuclear Fuel, Knudson, P. . . . . SCR 5 (F)
Resolution Opposing United States Supreme Court's
Pornography Decision, Bigelow, R. . . . . HJR 7 (P)
Resolution Promoting Utah's Legislators Back to School
Program, Dayton, M. . . . . HCR 2 (P)
Resolution Providing Property Tax Exemption for Veterans,
Wheatley, M. . . . . HJR 5 (F)
Resolution Recognizing Right to Participate in Religious
Expressions in Public Schools, Hellewell, P. . . . . SJR 9 (P)

Resolution Regarding Judicial Power, Hughes, G. . . . . HJR 17 (F)
Resolution Regarding Property Tax on Personal
Property, Dougall, J. . . . . HJR 1 (P)
Resolution Regarding the Harmful Effects of Tobacco,
Alcohol, and Drugs on Youth, Hansen, N. . . . . HCR 3 (P)
Resolution Restricting Use of Eminent Domain, Dougall, J. . . . . HJR 29 (F)
Resolution Revising Executive Officer Succession
Provisions, Allen, S. . . . . HJR 8 (F)
Resolution Submitting Minimum Wage Question
to the Voters, Mayne, E. . . . . SJR 8 (F)
Resolution Supporting Medicaid Preferred Drug List for
Acid Reflux and Statins, Mascaro, S. . . . . HJR 4 (F)
Resolution Supporting Permanent Repeal of Federal
Inheritance Tax, Noel, M. . . . . HR 03 (P)
Resolution Supporting Utah Highway Patrol Use of
White Crosses as Roadside Memorials, Ray, P. . . . . HCR 4 (P)
Resolution Supporting Working Families Economic
Development Initiative, Cosgrove, T. . . . . HJR 23 (P)
Resolution Urging Congress to Appropriate Adequate
Funds for Medicare Prescription Drug Coverage
Counseling, Cosgrove, T. . . . . HJR 26 (F)
Resolution Urging Congress to Resolve Camp Williams
Boundary Issues, Hogue, D. . . . . HCR 5 (F)
Resolution Urging Congressional Action on the Tax
Deductibility of Medical Expenses by
Individuals, Hutchings, E. . . . . HJR 2 (P)
Resolution Urging Congressional Name Change of
Hill Air Force Base, Christensen, L. . . . . HJR 13 (F)
Resolution Urging Congressional Repeal of
Federal Excise Tax on Telecommunications, Christensen, L. . HJR 16 (F)
Resolution Urging Development of Offshore Energy
Resources, Hatch, T. . . . . SCR 2 (F)
Resolution Urging Participation by Taiwan in World
Health Organization, Bramble, C. . . . . SR 03 (P)
Senate Rules Resolution − Consent Calendar
Amendments, Waddoups, M. . . . . SR 01 (P)
State Transportation Empowerment Resolution, Tilton, A. . . . . HJR 25 (F)
Utah Athletic Foundation Resolution, Ure, D. . . . . HJR 30 (F)

RESOLUTIONS, CONSTITUTIONAL

Resolution Enlarging Revenues and Assets in State Trust Fund, Hillyard, L. . . . . SJR 2 (F)
Resolution Limiting Property Tax on Primary Residence, Hogue, D. . . . . HJR 6 (F)
Resolution Providing Property Tax Exemption for Veterans, Wheatley, M. . . . . HJR 5 (F)
Resolution Regarding Judicial Power, Hughes, G. . . . . HJR 17 (F)
Resolution Regarding Property Tax on Personal Property, Dougall, J. . . . . HJR 1 (P)
Resolution Restricting Use of Eminent Domain, Dougall, J. . . . . HJR 29 (F)
Resolution Revising Executive Officer Succession Provisions, Allen, S. . . . . HJR 8 (F)

RESOLUTIONS, RULES

House Rules Resolution − Committee Processing of Bills, Lockhart, R. . . . . HR 01 (P)
House Rules Resolution − Conflict of Interest Amendments, Romero, R. . . . . HR 02 (P)
House Rules Resolution − Notification of Ongoing Negotiation, Hansen, N. . . . . HR 04 (F)
Interim Rules Resolution − Committee Powers, Waddoups, M. . . . . SJR 4 (P)
Interim Rules Resolution − Quorum Requirements, Waddoups, M. . . . . SJR 3 (P)
Joint Rules Resolution − Amendments Related to Recalling a Bill from Another House, Hogue, D. . . . . HJR 22 (F)
Joint Rules Resolution − Base Budget Process, Bigelow, R. . . . . HJR 3 (P)
Joint Rules Resolution − Disclosure of Conflict of Interest, Romero, R. . . . . HJR 10 (F)
Joint Rules Resolution − Recodification and Revisions, Lockhart, R. . . . . HJR 9 (P)
Joint Rules Resolution Amending Legislative Expenses, Bell, G. . . . . SJR 7 (F)
Senate Rules Resolution − Consent Calendar Amendments, Waddoups, M. . . . . SR 01 (P)

RETIREMENT

Additional State Retirement Benefit, Shurtliff, L. . . . . HB 58 (F)
Expiration of Group Health Insurance for Retired Governors and Legislators, Clark, D. . . . . HB 216 (F)
Firefighters' Deferred Retirement Option Plan, Walker, M. . . . . HB 397 (F)

High Deductible Health Plan Option for
Public Employees, Daw, B. . . . . HB 76 (P)
Partial Lump−sum Retirement Payment Option, Clark, D. . . . . HB 209 (P)
PEHP Risk Pool Amendments, Clark, D. . . . . HB 215 (P)
Post Retirement Employment, Donnelson, G. . . . . HB 225 (F)
Post−retirement Benefits Trust Fund, Clark, D. . . . . HB 381 (F)
Public Employees Retirement, Hansen, N. . . . . HB 320 (F)
Public Employer Benefit Plans, Christensen, L. . . . . HB 327 (F)
Public Safety Retirement Amendments, Frank, C. . . . . HB 163 (F)
Public Safety Retirement for Dispatchers, Bowman, D. . . . . HB 146 (F)
Public Safety Retirement Revisions, Clark, D. . . . . HB 240 (F)
Retirement Allowance Amendments, Hardy, A. . . . . HB 59 (F)
Retirement Office Amendments, Hardy, A. . . . . HB 11 (P)
Retirement System Participation, Clark, D. . . . . HB 224 (P)
State Elected Officials Health Plan, Hutchings, E. . . . . HB 157 (F)
State Employee Retirement Benefits Amendments, Dougall, J. . . . HB 346 (P)
State Public Safety Retirement Conversion
Window, Newbold, M. . . . . HB 345 (F)
State Retirement Conversion Window, Shurtliff, L. . . . . HB 200 (F)

RETIREMENT AND INDEPENDENT ENTITIES

Public Employees Retirement, Hansen, N. . . . . HB 320 (F)
Retirement Allowance Amendments, Hardy, A. . . . . HB 59 (F)
State Public Safety Retirement Conversion
Window, Newbold, M. . . . . HB 345 (F)
State Retirement Conversion Window, Shurtliff, L. . . . . HB 200 (F)

REVENUE AND TAXATION

Amendments to Sales and Use Tax Exemptions for
Certain Vehicles, Boats, Boat Trailers, and
Outboard Motors, Stephenson, H. . . . . SB 179 (P)
Amendments to Sexually Explicit Business and Escort
Service Fund, Cosgrove, T. . . . . HB 379 (F)
Amendments to the Property Tax Exemption for
Disabled Veterans, Morley, M. . . . . HB 396 (P)
Corporate Franchise and Income Tax Credits for Biodiesel
Fuel Production, Noel, M. . . . . HB 385 (F)
Corporate Franchise and Income Taxes − Apportionment of
Business Income to Utah and Deduction of Net Losses
by a Unitary Group, Harper,W. . . . . HB 53 (F)

County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities Amendments, Hogue, D. . . . . HB 300 (F)
County Option Sales and Use Tax for Agricultural Land and Open Land, Buttars, C. . . . . HB 126 (F)
Due Date for Filing Electronically Filed Withholding Returns, Newbold, M. . . . . HB 265 (P)
Earned Income Tax Credit, Biskupski, J. . . . . HB 277 (F)
Exemptions to Residential Property Tax, Mayne, E. . . . . SB 192 (F)
Expenditure of Local Option Transportation Tax Revenue, Ferry, B. . . . . HB 372 (P)
Gross Receipts Tax Amendments, Repeal and Public Utility Tariffs, Dmitrich, M. . . . . SB 34 (P)
Income Tax − Taxation of Individuals, Estates, and Trusts, Hillyard, L. . . . . SB 37 (P)
Individual Income Tax Amendments, Jones, P. . . . . HB 302 (F)
Individual Income Tax Contribution for Community Spay and Neuter Programs, Noel, M. . . . . HB 95 (P)
Individual Income Tax Rate Reduction, Ferrin, J. . . . . HB 323 (F)
Individual Income Tax Revisions, Hatch, T. . . . . SB 270 (F)
Individual Income Taxation of Certain Trust Distributions, Hillyard, L. . . . . SB 38 (P)
Levies for the Assessment and Collection of Property Taxes, Stephenson, H. . . . . SB 221 (P)
Local Option Sales and Use Tax Distribution Amendments, Bell, G. . . . . SB 35 (P)
Multi−channel Video or Audio Service Tax − County or Municipality Franchise Fee Tax Credit, Goodfellow, B. . . . . SB 32 (F)
Municipal Energy Sales and Use Tax Amendments, Hughes, G. . . . HB 309 (P)
Natural Resources Development, Dmitrich, M. . . . . SB 241 (P)
Payment of Tax or Bonding in Tax Cases, Stephenson, H. . . . . SB 225 (P)
Personal Property Tax Amendments, Dougall, J. . . . . HB 386 (F)
Property Tax − Circuit Breaker Qualifying Limits, Harper, W. . . . . HB 55 (P)
Property Tax − Intangible Property, Bramble, C. . . . . SB 198 (P)
Property Tax − Notice and Hearing Amendments, Bell, G. . . . . SB 151 (F)
Property Tax − Refunding Tax Prepayments, Hunsaker, F. . . . . HB 86 (P)
Property Tax Exemption for Business Personal Property, Dougall, J. . . . . HB 338 (P)
Property Tax Exemption for Veterans, Wheatley, M. . . . . HB 359 (F)
Property Tax Revisions, Newbold, M. . . . . HB 261 (P)
Renewable Energy Tax Credit, Allen, S. . . . . HB 42 (F)

Reportable Transactions Act, Stephenson, H. . . . . SB 139 (P)
Reporting of Tax Information, McCoy, S. . . . . SB 208 (F)
Requirement of Property Tax Increase
Advertisement, Hughes, G. . . . . HB 256 (P)
Resolution Regarding Judicial Power, Hughes, G. . . . . HJR 17 (F)
Resolution Supporting Permanent Repeal of
Federal Inheritance Tax, Noel, M. . . . . HR 03 (P)
Resolution Supporting Working Families Economic
Development Initiative, Cosgrove, T. . . . . HJR 23 (P)
Resolution Urging Congressional Repeal of Federal
Excise Tax on Telecommunications, Christensen, L. . . . . HJR 16 (F)
Revisions to Distribution of Sales and Use
Tax Revenue, Wyatt, S. . . . . HB 147 (F)
Sales and Use Tax − Attachment of Tangible Personal
Property to Real Property, Stephenson, H. . . . . SB 89 (P)
Sales and Use Tax − Dental Prostheses, Knudson, P. . . . . SB 169 (F)
Sales and Use Tax − Dinner Theaters, Ure, D. . . . . HB 438 (F)
Sales and Use Tax − Exemption for Isolated or
Occasional Sales, Hillyard, L. . . . . SB 28 (P)
Sales and Use Tax − Food and Food Ingredients, Newbold, M. . . . . HB 109 (P)
Sales and Use Tax − Manufacturing and Industry
Exemptions Amendments, Stephenson, H. . . . . SB 31 (P)
Sales and Use Tax Amendments, Harper, W. . . . . HB 353 (F)
Sales and Use Tax Exemption − Telecommunications, Bramble, C. . SB 29 (P)
Sales and Use Tax Exemption for Certain Admissions to or
Rights to Use the Premises of a Private Club, Dmitrich, M. . . . SB 154 (F)
Sales and Use Tax Exemption for Sales of Certain
Agricultural Products, Snow, G. . . . . HB 54 (P)
Sales and Use Tax Exemption for Semiconductor Fabricating,
Processing, Research, or Development Materials, Bramble, C. . . SB 30 (P)
Sales and Use Tax Exemption for Textbooks for
Higher Education, Bourdeaux, D. . . . . HB 273 (F)
Sales and Use Tax Exemption for Transportation, Harper, W. . . . . HB 52 (P)
Sales and Use Tax Exemptions and Refund for
Certain Business Inputs, Stephenson, H. . . . . SB 33 (F)
Sales and Use Tax Funding for Health Care, Mathis, J. . . . . HB 193 (P)
Sales and Use Tax Revisions, Bramble, C. . . . . SB 233 (P)
Sales and Use Taxation of Amusement Devices and Cleaning
or Washing of Tangible Personal Property, Harper, W. . . . . HB 51 (P)
Sales Tax Diversion for Water Projects and
Water Financing, Ure, D. . . . . HB 47 (P)

School Districts − Limited Amendments to Truth in Taxation, Dmitrich, M. . . . . SB 36 (P)
State Tax Commission Bonding and Licensing Amendments, Harper, W. . . . . HB 291 (P)
Tax Amendments, Dougall, J. . . . . HB 354 (F)
Tax Credit for Volunteer Service by a Health Care Professional, Clark, S. . . . . HB 178 (F)
Tax on Insurance Premiums, Bramble, C. . . . . SB 136 (P)
Tax Revisions, Bramble, C. . . . . SB 242 (F)
Transient Room Taxes Amendments, Clark, D. . . . . HB 371 (P)
Use of Oil and Gas Tax Revenues, Hillyard, L. . . . . SB 202 (F)

REVENUE AND TAXATION − CONSTITUTION

Resolution Limiting Property Tax on Primary Residence, Hogue, D. . . . . HJR 6 (F)
Resolution Providing Property Tax Exemption for Veterans, Wheatley, M. . . . . HJR 5 (F)
Resolution Regarding Property Tax on Personal Property, Dougall, J. . . . . HJR 1 (P)

REVISOR LEGISLATION

Revisor's Statute, Waddoups, M. . . . . SB 143 (P)

RISK MANAGEMENT FUND

Workers' Compensation for the State, Snow, G. . . . . HB 72 (P)

RURAL DEVELOPMENT

Governor's Rural Partnership Board Amendments, Hatch, T. . . . . SB 120 (F)

RURAL HEALTH

Sales and Use Tax Funding for Health Care, Mathis, J. . . . . HB 193 (P)
Telehealth for Rural Utah, Evans, B. . . . . SB 57 (P)

SALES AND USE TAX

Amendments to Sales and Use Tax Exemptions for Certain Vehicles, Boats, Boat Trailers, and Outboard Motors, Stephenson, H. . . . . SB 179 (P)
County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities Amendments, Hogue, D. . . . . HB 300 (F)

County Option Sales and Use Tax for Agricultural Land and
Open Land, Buttars, C. . . . . HB 126 (F)
Expenditure of Local Option Transportation
Tax Revenue, Ferry, B. . . . . HB 372 (P)
Local Option Sales and Use Tax Distribution
Amendments, Bell, G. . . . . SB 35 (P)
Municipal Energy Sales and Use Tax Amendments, Hughes, G. . . . HB 309 (P)
Revisions to Distribution of Sales
and Use Tax Revenue, Wyatt, S. . . . . HB 147 (F)
Sales and Use Tax − Attachment of Tangible Personal
Property to Real Property, Stephenson, H. . . . . SB 89 (P)
Sales and Use Tax − Dental Prostheses, Knudson, P. . . . . SB 169 (F)
Sales and Use Tax − Dinner Theaters, Ure, D. . . . . HB 438 (F)
Sales and Use Tax − Exemption for Isolated or
Occasional Sales, Hillyard, L. . . . . SB 28 (P)
Sales and Use Tax − Food and Food Ingredients, Newbold, M. . . . . HB 109 (P)
Sales and Use Tax − Manufacturing and Industry
Exemptions Amendments, Stephenson, H. . . . . SB 31 (P)
Sales and Use Tax Amendments, Harper, W. . . . . HB 353 (F)
Sales and Use Tax Exemption − Telecommunications, Bramble, C. . SB 29 (P)
Sales and Use Tax Exemption for Certain Admissions to or
Rights to Use the Premises of a Private Club, Dmitrich, M. . . . SB 154 (F)
Sales and Use Tax Exemption for Sales of Certain
Agricultural Products, Snow, G. . . . . HB 54 (P)
Sales and Use Tax Exemption for Semiconductor Fabricating,
Processing, Research, or Development Materials, Bramble, C. . . SB 30 (P)
Sales and Use Tax Exemption for Textbooks for
Higher Education, Bourdeaux, D. . . . . HB 273 (F)
Sales and Use Tax Exemption for Transportation, Harper, W. . . . . HB 52 (P)
Sales and Use Tax Exemptions and Refund for Certain
Business Inputs, Stephenson, H. . . . . SB 33 (F)
Sales and Use Tax Funding for Health Care, Mathis, J. . . . . HB 193 (P)
Sales and Use Tax Revisions, Bramble, C. . . . . SB 233 (P)
Sales and Use Taxation of Amusement Devices and Cleaning
or Washing of Tangible Personal Property, Harper, W. . . . . HB 51 (P)
Sales Tax Diversion for Water Projects and Water
Financing, Ure, D. . . . . HB 47 (P)
Tax Amendments, Dougall, J. . . . . HB 354 (F)
Transient Room Taxes Amendments, Clark, D. . . . . HB 371 (P)
Transportation Investment Act, Lockhart, R. . . . . HB 112 (P)

SCHOOL FINANCE

Amendments to the Minimum School Program Budget,
Stephenson, H. . . . . SB 5 (P)
Creation of Education Fund, Alexander, J. . . . . HB 294 (P)
Minimum School Program Base Budget Amendments,
Stephenson, H. . . . . SB 3 (P)
Public Education Job Enhancement Program
Amendments, Menlove, R. . . . . HB 252 (F)

SCHOOL PERSONNEL

Appropriation for Highly Qualified Teachers, Holdaway, K. . . . . HB 285 (P)
Beginning Teacher Enhancements, Gowans, J. . . . . HB 98 (F)
Beginning Teacher Induction, Menlove, R. . . . . HB 310 (F)
School Nurses Legislative Study, Mayne, E. . . . . SB 48 (F)
Schools for the Deaf and Blind Salary Adjustment, Morgan, K. . . . HB 218 (P)
Tuition Program for Students Seeking Teacher
Licensure, Menlove, R. . . . . HB 81 (P)

SCHOOL SAFETY

School Busing Amendments, Cox, D. . . . . HB 297 (F)
Traffic Code Amendments, Ray, P. . . . . HB 366 (F)

SEAT BELT LAWS

Child Restraint Device Amendments, Cosgrove, T. . . . . HB 111 (F)
Safety Belt Enforcement Amendments, Hale, K. . . . . SB 98 (F)
Seat Belt Amendments, Murray, J. . . . . HB 234 (F)

SECURITIES

Securities Amendments, Bramble, C. . . . . SB 269 (F)

SEVERANCE TAX

Use of Oil and Gas Tax Revenues, Hillyard, L. . . . . SB 202 (F)

SEXUAL OFFENSES

Juvenile Offenses − Diversion Amendment, Arent, P. . . . . SB 167 (P)
Sex Offender Amendments, Dee, B. . . . . HB 158 (P)
Sex Offender Registration Amendments, Lawrence, M. S. . . . . HB 56 (P)
Sex Offender Registration Revisions, Clark, D. . . . . HB 318 (F)
Sexual Offenses Against Children − Sentencing
Amendments, Ray, P. . . . . HB 161 (P)

SIGNS

Outdoor Advertising − Height Adjustment of Signs, Hellewell, P. . SB 222 (P)
Relocating Outdoor Advertising, Ure, D. . . . . HB 394 (P)
Unlawful Outdoor Advertising Amendments, Waddoups, M. . . . . SB 140 (P)

SIZE LIMITS, MOTOR VEHICLES

Transportation − Oversize and Overweight Permit, Gibson, K. . . . . HB 293 (P)

SOLID WASTE

Electronic Waste Task Force and Moratorium on Electronic
Waste Disposal, McCoy, S. . . . . SB 215 (F)
Process for Approval of Waste Disposal Amendments,
Stephenson, H. . . . . SB 70 (P)
Waste Fee Amendments, Eastman, D. . . . . SB 209 (P)

SPECIAL DISTRICTS

Changes to Local Government Provisions, Mansell, L. A. . . . . SB 267 (P)
Local Fire Officials Authority, Ure, D. . . . . HB 116 (F)
Local Government Amendments, Dee, B. . . . . HB 44 (P)
Repeal of Obsolete Dependent Special Districts, Fisher, Julie . . . . . HB 205 (P)
Utility Improvement Districts Revisions, Ure, D. . . . . HB 6 (P)
Water Conservancy District Amendments, Hatch, T. . . . . SB 111 (P)

SPEED LIMITS

Revenue Flow from Speeding Violations, Hickman, J. . . . . SB 54 (F)
Traffic Code Amendments, Ray, P. . . . . HB 366 (F)

STATE AFFAIRS IN GENERAL

Allowance of State Memorials on State Property, Harper, W. . . . . HB 330 (F)
Classification and Inspection of Records
Under Grama, Madsen, M. . . . . SB 77 (F)
Constitutional Revision Commission Amendments, Knudson, P. . . SB 189 (P)
Eminent Domain Requirements, Ure, D. . . . . HB 275 (F)
Executive and Legislative Coordination Act, Hogue, D. . . . . HB 248 (F)
Government Records Access and Management
Act Revisions, Frank, C. . . . . HB 188 (P)
Joint Resolution Resolving and Recognizing Juneteenth
Independence Day in Utah, Bourdeaux, D. . . . . HJR 20 (F)
Observing Juneteenth Day by the State, Hansen, N. . . . . HB 452 (F)

Office of State Debt Collection Amendments, Knudson, P. . . . . SB 214 (P)
Resolution Recognizing Right to Participate in Religious
Expressions in Public Schools, Hellewell, P. . . . . SJR 9 (P)
Resolution Revising Executive Officer Succession
Provisions, Allen, S. . . . . HJR 8 (F)
Resolution Urging Congressional Name Change of
Hill Air Force Base, Christensen, L. . . . . HJR 13 (F)
Restoration of Voting Rights Amendments, Goodfellow, B. . . . . SB 47 (P)
State Agency and Higher Education Base Budget
Appropriations, Hillyard, L. . . . . SB 1 (P)
State Agency and Higher Education Compensation
Amendments, Bigelow, R. . . . . HB 4 (P)
Surplus Property Amendments, Knudson, P. . . . . SB 132 (P)

STATE BOARD OF EDUCATION

School District Boundaries, Cox, D. . . . . HB 77 (P)
School Districts − Limited Amendments to
Truth in Taxation, Dmitrich, M. . . . . SB 36 (P)

STATE BOARD OF REGENTS

Board of Regents Amendments, Alexander, J. . . . . HB 119 (P)

STATE BOARDS, COMMISSIONS, AND COUNCILS

Capitol Preservation Board Revisions, Evans, B. . . . . SB 260 (P)
Utah Child Abuse Prevention Board, Ray, P. . . . . HB 22 (F)

STATE LANDS

Allowance of State Memorials on State Property, Harper, W. . . . . HB 330 (F)
County Option Sales and Use Tax for Agricultural Land
and Open Land, Buttars, C. . . . . HB 126 (F)

STATE OFFICERS AND EMPLOYEES

Gifts to Public Officials, Bell, G. . . . . SB 102 (F)
High Deductible Health Plan Option for
Public Employees, Daw, B. . . . . HB 76 (P)
Human Resource Management Amendments, Clark, D. . . . . HB 269 (P)
Investment of Land Grant Trust Funds, Clark, D. . . . . HB 78 (P)
Partial Lump−sum Retirement Payment Option, Clark, D. . . . . HB 209 (P)
PEHP Risk Pool Amendments, Clark, D. . . . . HB 215 (P)
Post Retirement Employment, Donnelson, G. . . . . HB 225 (F)

Public Employer Benefit Plans, Christensen, L. . . . . HB 327 (F)
Resolution Revising Executive Officer
Succession Provisions, Allen, S. . . . . HJR 8 (F)
State Employee Retirement Benefits Amendments, Dougall, J. . . . HB 346 (P)

STATE SYMBOLS

Naming State Reptile, Clark, D. . . . . HB 214 (F)

STATE TAX COMMISSION

Due Date for Filing Electronically Filed Withholding
Returns, Newbold, M. . . . . HB 265 (P)
Payment of Tax or Bonding in Tax Cases, Stephenson, H. . . . . SB 225 (P)
State Tax Commission Bonding and Licensing
Amendments, Harper, W. . . . . HB 291 (P)

STATISTICS

Vital Statistics Act Amendments, Hatch, T. . . . . SB 172 (P)

SUBSTANCE ABUSE

Drug Abuse Amendments, Moss, C. . . . . HB 391 (F)
Drug Offender Reform Act Amendments, Killpack, S. . . . . SB 185 (P)

SUNSET LEGISLATION

Economic Development − Sunset Modifications, Wallace, P. . . . . HB 71 (P)
Health and Human Services Sunset and Reporting
Amendments, Christensen, A. . . . . SB 6 (P)
Insurance Department − Sunset Amendments
and Revisions, Jenkins, S. . . . . SB 14 (P)
Sunset Review and Reauthorizations, Alexander, J. . . . . HB 43 (P)

TASK FORCE / COMMITTEES

Medicaid Task Force, Killpack, S. . . . . SB 152 (F)
Privatization of Government Functions Task Force,
Stephenson, H. . . . . SB 74 (F)
School Nurses Legislative Study, Mayne, E. . . . . SB 48 (F)
Suicide Prevention Plan, Hogue, D. . . . . HB 186 (F)
Task Force on Legislative Reforms, Hansen, N. . . . . HB 341 (F)
Task Force Studying Natural Disasters, Kiser, T. . . . . HB 434 (F)
Utah International Trade Commission, Allen, S. . . . . HB 39 (P)
Water Issues Task Force, Ure, D. . . . . HB 357 (P)

TECHNOLOGY

Amendments to Child Protection Registry, Hutchings, E. . . . . HB 417 (P)
Antiphishing Provisions, Arent, P. . . . . SB 52 (P)
Child Protection Registry Amendments, Dmitrich, M. . . . . SB 206 (F)
Department of Technology Services Personnel Transfer −
Supplemental Appropriation, Clark, D. . . . . HB 49 (P)
Education Information Technology Systems, Holdaway, K. . . . . HB 82 (P)
Utah International Trade Commission, Allen, S. . . . . HB 39 (P)
Utah Technology Industry Council Revisions, Litvack, D. . . . . HB 50 (P)

TELECOMMUNICATIONS

Multi−channel Video or Audio Service Tax − County or
Municipality Franchise Fee Tax Credit, Goodfellow, B. . . . . SB 32 (F)
Resolution Urging Congressional Repeal of Federal
Excise Tax on Telecommunications, Christensen, L. . . . . HJR 16 (F)
Sales and Use Tax Exemption − Telecommunications, Bramble, C. . SB 29 (P)
Statewide 911 Emergency
Communication Amendments, Dee, B. . . . . HB 198 (P)
Telephone Solicitation Amendments, Hellewell, P. . . . . SB 203 (F)

TELEPHONE

Statewide 911 Emergency
Communication Amendments, Dee, B. . . . . HB 198 (P)
Telephone Solicitation Amendments, Hellewell, P. . . . . SB 203 (F)

TOBACCO

Amendments to Indoor Clean Air Act, Waddoups, M. . . . . SB 19 (P)
Resolution Regarding the Harmful Effects of Tobacco,
Alcohol, and Drugs on Youth, Hansen, N. . . . . HCR 3 (P)

TOURISM

Expenditures for Tourism, Recreation, Cultural, and
Convention Facilities and Activities, Adams, J. S. . . . . HB 40 (P)

TOWNSHIPS

Surplus Lands Amendments, Walker, M. . . . . HB 446 (P)
Township Amendments, Christensen, L. . . . . HB 29 (P)

TRANSPORTATION

Acceptance of R.S. 2477 Rights−of−way
Amendments, Noel, M. . . . . HB 264 (P)

Airport Security Amendments, Hughes, G. . . . . HB 110 (P)
Amendments to Commercial Driver License
Provisions, Alexander, J. . . . . HB 140 (P)
Amendments to Sales and Use Tax Exemptions for Certain
Vehicles, Boats, Boat Trailers, and Outboard Motors,
Stephenson, H. . . . . SB 179 (P)
Amendments to Transportation Provisions, Dougall, J. . . . . HB 457 (F)
Authorizing Temporary Road Closures, Noel, M. . . . . HB 238 (P)
Child Restraint Device Amendments, Cosgrove, T. . . . . HB 111 (F)
Clean Fuel Vehicle Fund Amendments, Gowans, J. . . . . HB 93 (P)
Commercial Driver License Amendments, Killpack, S. . . . . SB 13 (P)
Commercial Driver Training School Act Amendments,
Dunnigan, J. . . . . HB 20 (P)
Construction of Limited Access Highway
Amendments, Hogue, D. . . . . HB 384 (F)
Driver License − Application of Minor, Litvack, D. . . . . HB 298 (F)
Driver License − Learner Permit Provisions, Dougall, J. . . . . HB 363 (P)
Driver License Qualification Amendments, Donnelson, G. . . . . HB 64 (F)
Driver License Records Access Amendments, Aagard, D. . . . . HB 169 (P)
Driving by Minors Amendments, Hale, K. . . . . SB 118 (P)
Driving Under the Influence Amendments, Walker, C. . . . . SB 18 (P)
Expenditure of Local Option Transportation
Tax Revenue, Ferry, B. . . . . HB 372 (P)
Golf Carts Allowed on Certain Streets, Moss, C. . . . . HB 280 (F)
Highway Transfer Process Amendments, Walker, C. . . . . SB 17 (P)
Identification Card Amendments, Dunnigan, J. . . . . HB 19 (P)
K. Gunn Mckay Highway Designation, Hansen, N. . . . . HB 73 (P)
License Plate Amendments, Eastman, D. . . . . SB 63 (F)
Limitation on Local Highway Authorities, Harper, W. . . . . HB 423 (P)
Motor Vehicle Business Regulation Amendments, Painter, P. . . . . HB 283 (P)
Motor Vehicle Insurance Amendments, Killpack, S. . . . . SB 224 (P)
Motor Vehicle Lease Agreements, Madsen, M. . . . . SB 180 (P)
Motor Vehicle Registration Amendments, Killpack, S. . . . . SB 129 (P)
Motor Vehicle Registration Checkoff for Protecting Access to
Public Lands and Off−highway Vehicle Education, Noel, M. . . HB 141 (F)
Motorboat Liability Insurance Amendments, Gibson, K. . . . . HB 242 (P)
Native American Special Group License Plates, Wyatt, S. . . . . HB 344 (F)
Off−highway Vehicle Amendments, Dee, B. . . . . HB 355 (F)
Outdoor Advertising − Height Adjustment of Signs, Hellewell, P. . SB 222 (P)
Pedestrians' Right−of−way Amendments, Daw, B. . . . . HB 96 (F)
Public Safety Vehicles − Marking Lights, Murray, J. . . . . HB 235 (P)

Public−private Partnerships for Tollway Facilities, Killpack, S. .... SB 80 (P)
Registration and Title Provisions, Eastman, D. ..... SB 226 (P)
Relocating Outdoor Advertising, Ure, D. ..... HB 394 (P)
Repeal of Off−highway Vehicle Registration Number, Hatch, T. ... SB 119 (P)
Responsibilities of Public Transit Districts, McCoy, S. ..... SB 227 (F)
Revenue Flow from Speeding Violations, Hickman, J. ..... SB 54 (F)
Safety Belt Enforcement Amendments, Hale, K. ..... SB 98 (F)
Sales and Use Tax Exemption for Transportation, Harper, W. ..... HB 52 (P)
School Busing Amendments, Cox, D. ..... HB 297 (F)
Seat Belt Amendments, Murray, J. ..... HB 234 (F)
Sex Offender Amendments, Dee, B. ..... HB 158 (P)
Special License Plate for Utah Shakespearean
Festival, Bowman, D. ..... HB 166 (F)
Speed Contest or Exhibition Amendments, Hale, K. ..... SB 193 (P)
State Highways Amendments, Murray, J. ..... HB 35 (P)
State Transportation Empowerment Resolution, Tilton, A. ..... HJR 25 (F)
Support Our Troops Special Group License Plate, Buxton, D. G. .. HB 404 (F)
Title to Manufactured Housing or Mobile Homes, Hatch, T. ..... SB 107 (P)
Traffic Code Amendments, Ray, P. ..... HB 366 (F)
Traffic Code Revisions, Dunnigan, J. ..... HB 342 (F)
Traffic Tickets and Convictions, Buttars, D. C. ..... SB 138 (F)
Transit Security Amendments, Bramble, C. ..... SB 256 (P)
Transportation − Oversize and Overweight Permit, Gibson, K. .... HB 293 (P)
Transportation Construction Amendments, Fisher, Julie ..... HB 267 (P)
Transportation Funding Amendments, Dougall, J. ..... HB 162 (F)
Transportation Investment Act, Lockhart, R. ..... HB 112 (P)
Transportation Planning Amendments, Dee, B. ..... HB 370 (P)
Uninsured Motorist Identification Database Program
Amendments, Murray, J. ..... HB 17 (P)
Unlawful Outdoor Advertising Amendments, Waddoups, M. ..... SB 140 (P)
Utah Strategic Highway Projects Fund, Ure, D. ..... HB 427 (F)

TRANSPORTATION FUND

Transportation Investment Act, Lockhart, R. ..... HB 112 (P)

TRUST LANDS

Cultural Sites Protection Amendments, Johnson, B. ..... HB 311 (P)
Resolution Encouraging State Research Universities to
Focus on Enhancing State Trust Lands, Hutchings, E. ..... HJR 28 (F)
School and Institutional Trust Lands Amendments, Hatch, T. ..... SB 217 (F)

TRUSTS

Income Tax − Taxation of Individuals, Estates,
and Trusts, Hillyard, L. . . . . SB 37 (P)
Individual Income Taxation of Certain Trust Distributions,
Hillyard, L. . . . . SB 38 (P)
Nonprofit Entity Amendments, Hillyard, L. . . . . SB 84 (P)

UNCLAIMED PROPERTY

Unclaimed Property Act Revisions, Hunsaker, F. . . . . HB 75 (F)

UNDERGROUND STORAGE TANKS

Petroleum Storage Tank Trust Fund Amendments, Ure, D. . . . . HB 271 (P)

UNEMPLOYMENT COMPENSATION

Employment Security Amendments, Hickman, J. . . . . SB 21 (P)
Unemployment Compensation − Social Security Offset, Cox, D. . . . HB 18 (P)

UNIFORM COMMERCIAL CODE

Uniform Commercial Code − Warehouse Receipts, Bills
of Lading, and Other Documents of Title, Hillyard, L. . . . . SB 109 (P)

UNIFORM LAWS

Repeal of Utah Digital Signature Act, Hillyard, L. . . . . SB 20 (P)
Uniform Commercial Code − Warehouse Receipts, Bills
of Lading, and Other Documents of Title, Hillyard, L. . . . . SB 109 (P)
Uniform Debt−Management Services Act, Hillyard, L. . . . . SB 79 (P)
Uniform Environmental Covenants Act, Hillyard, L. . . . . SB 153 (P)
Uniform Interstate Enforcement of Domestic Violence
Protection Orders Act, Hillyard, L. . . . . SB 106 (P)
Uniform Mediation Act, Hillyard, L. . . . . SB 61 (P)

UNIFORM PROBATE CODE

Probate Code Amendments Regarding Homicide, Morgan, K. . . . . HB 63 (P)
Revocation of Death Benefits by Divorce, Hale, K. . . . . SB 186 (P)
Utah Uniform Probate Code Amendments, Romero, R. . . . . HB 282 (F)

UTAH HIGHWAY PATROL

Resolution Supporting Utah Highway Patrol Use of
White Crosses as Roadside Memorials, Ray, P. . . . . HCR 4 (P)

UTAH MUNICIPAL CODE

Amendments to County and Municipal Land
Use Provisions, Bell, G. . . . . SB 155 (P)
Antitrust Exemption, Wheeler, R. . . . . HB 333 (P)
Changes to Local Government Provisions, Mansell, L. A. . . . . SB 267 (P)
Civil Service Commissions, Jenkins, S. . . . . SB 229 (P)
Concealed Firearms Instructors, Oda, C. . . . . HB 350 (P)
Density Credit for Land Donated to School District, Cox, D. . . . . HB 319 (F)
Eminent Domain Limitation on
Political Subdivisions, Ferry, B. . . . . HB 168 (F)
Expenditure of Local Option Transportation
Tax Revenue, Ferry, B. . . . . HB 372 (P)
Inherent Risks of Participating in Recreational Activities
on Property Owned by Local Government, Bowman, D. . . . . HB 207 (P)
Local Government Land Use and Impact Fee
Revisions, Mansell, L. A. . . . . SB 170 (F)
Local Governments Restrictions on Limiting
Certain Fees, Hughes, G. . . . . HB 250 (P)
Local Land Use Provisions Relating to Schools, Ferrin, J. . . . . HB 172 (P)
Local Land Use Requirements, Morley, M. . . . . HB 132 (P)
Moratorium on Issuing Sales Tax Revenue Bonds
by Local Governments, Hillyard, L. . . . . SB 166 (F)
Municipal Building Inspectors Availability, Tilton, A. . . . . HB 420 (F)
Municipal Energy Sales and Use Tax Amendments, Hughes, G. . . . HB 309 (P)
Performance Audits of Local Governments, Wallace, P. . . . . HB 135 (F)
Sales and Use Tax Amendments, Harper, W. . . . . HB 353 (F)
Surplus Lands Amendments, Walker, M. . . . . HB 446 (P)
Transient Room Taxes Amendments, Clark, D. . . . . HB 371 (P)
Transportation Funding Amendments, Dougall, J. . . . . HB 162 (F)
Vacating or Changing a Subdivision Plat, Knudson, P. . . . . SB 127 (P)
Vehicles Used for Agricultural Purposes, Gibson, K. . . . . HB 383 (P)

UTAH TECHNOLOGY COMMISSION

Utah Technology Industry Council Revisions, Litvack, D. . . . . HB 50 (P)

UTILITIES SITING

Notice Requirements for Budget Transfers from
Utility Funds, Tilton, A. . . . . HB 36 (P)

WAGES

Minimum Wage Amendments, Mayne, E. . . . . SB 43 (F)

Minimum Wage Revisions, Hansen, N. . . . . HB 313 (F)
Resolution Submitting Minimum Wage Question
to the Voters, Mayne, E. . . . . SJR 8 (F)

WATER AND IRRIGATION

Bear River Development Act, Adams, J. S. . . . . HB 45 (P)
General Fund Surplus Appropriation for Water
Development Projects, Hillyard, L. . . . . SB 39 (F)
Groundwater Management Plan, Ure, D. . . . . HB 228 (P)
Irrigation Companies − Nonprofit Corporation
Amendments, Gowans, J. . . . . HB 444 (F)
Lake Powell Pipeline Development Act, Hatch, T. . . . . SB 27 (P)
Sales Tax Diversion for Water Projects and
Water Financing, Ure, D. . . . . HB 47 (P)
Special Revenue Fund for Salinity Offset Program, Knudson, P. . . . SB 228 (P)
Water Company Amendments, Ure, D. . . . . HB 48 (P)
Water Conservancy District Amendments, Hatch, T. . . . . SB 111 (P)
Water Issues Task Force, Ure, D. . . . . HB 357 (P)
Water Reuse Requirements, Ferry, B. . . . . HB 38 (P)
Water Right Application Amendment, Hatch, T. . . . . SB 177 (P)

WATER QUALITY

Special Revenue Fund for Salinity Offset Program, Knudson, P. . . . SB 228 (P)

WEAPONS

Concealed Firearms Instructors, Oda, C. . . . . HB 350 (P)
Weapons Amendments, Madsen, M. . . . . SB 24 (F)

WILLS

Income Tax − Taxation of Individuals, Estates, and
Trusts, Hillyard, L. . . . . SB 37 (P)

WORKERS' COMPENSATION

Workers' Compensation Amendments, Adams, J. S. . . . . HB 463 (F)
Workers' Compensation for the State, Snow, G. . . . . HB 72 (P)
Workers' Compensation Revisions, Morley, M. . . . . HB 150 (P)
Workers' Compensation Studies Including Coverage
of Firefighters and Drug Officers, Murray, J. . . . . HB 9 (P)

WORKFORCE SERVICES CODE

Employment Security Amendments, Hickman, J. . . . . SB 21 (P)

Public Assistance Amendments, Allen, S. . . . . HB 37 (P)
Unemployment Compensation − Social Security Offset, Cox, D. . . . HB 18 (P)

ZONING

Local Land Use Requirements, Morley, M. . . . . HB 132 (P)

PAGE
INDEX

SENATE BILLS AND RESOLUTIONS

2006 GENERAL SESSION

FIFTY−SIXTH LEGISLATURE

January 16 through March 1, 2006

S.B. 1 −− STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 116
Read the third time 131
Transmitted to the House 132
Signed by the President and transmitted to the Governor 158

S.B. 2 −− EXECUTIVE COMPENSATION AMENDMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 918
Placed on calendar 919
Read the second time 922
Circled 922
Uncircled 924
Read the second and third time 924
Transmitted to the House 924
Enacting Clause Stricken 994

S.B. 3 −− MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 121
Read the second time 136
Amendments 136
Read the third time 154
Circled 154
Uncircled 165
Transmitted to the House 166
Placed on Concurrence Calendar 247
Refuse to Concur 268
Returned to the House 269
Signed by the President and transmitted to the Governor 286

S.B. 4 −− NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 822
Placed on calendar 867
Circled 867
Uncircled 876
Read the second time 876
Amendments . . . . . 877 , 964
Read the second and third time 884
Transmitted to the House 884
Placed on Concurrence Calendar 933
Refuse to Concur 945
Returned to the House . . . . . 945 , 965
Refuse to Recede 951
Joint Conference Committee Report 965
Signed by the President and transmitted to the Governor 988

S.B. 5 −− AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 835
Placed on calendar 894
Read the second time 894
Circled 894
Uncircled 912
Amendments 912
Read the second and third time 918
Transmitted to the House 918
Signed by the President and transmitted to the Governor 933

S.B. 6 −− HEALTH AND HUMAN SERVICES SUNSET AND REPORTING AMENDMENTS *(A. Christensen)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 115
Read the third time 130
Transmitted to the House 130
Signed by the President and transmitted to the Governor 217

S.B. 7 −− CHILD PROTECTION AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 88
Assigned to standing committee 107
Committee report adopted and placed on calendar 126
Read the second time 138
Read the third time 156
Transmitted to the House 156
Signed by the President and transmitted to the Governor 217

S.B. 8 −− CARE OF STUDENTS WITH DIABETES IN SCHOOL *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 88
Assigned to standing committee 108
Committee report adopted and placed on calendar 126

Read the second time 158
Read the third time 165
Transmitted to the House 165
Signed by the President and transmitted to the Governor 310

S.B. 9 −− OPEN AND PUBLIC MEETINGS ACT REVISIONS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 114
Read the third time 128
Transmitted to the House 129
Signed by the President and transmitted to the Governor 310

S.B. 10 −− PROVISIONAL BALLOT AMENDMENTS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 114
Read the third time 129
Transmitted to the House 129
Signed by the President and transmitted to the Governor 310

S.B. 11 −− ELECTION CODE REVISIONS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 115
Read the third time 129
Transmitted to the House 130
Signed by the President and transmitted to the Governor 310

S.B. 12 −− ELECTRONIC MEETING AMENDMENT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 118
Read the third time 133
Amendments 133
Transmitted to the House 133
Placed on Concurrence Calendar 311
Before the Senate 335
Circled 335
Uncircled 335
Concur 335
Returned to the House 336
Signed by the President and transmitted to the Governor 347

S.B. 13 −− COMMERCIAL DRIVER LICENSE AMENDMENTS *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 88
Assigned to standing committee 108
Substituted 124
Committee report adopted and placed on calendar 126
Read the second time 169
Read the third time 177
Transmitted to the House 177
Placed on Concurrence Calendar 348
Concurrence 369
Returned to the House 370
Signed by the President and transmitted to the Governor 391

S.B. 14 −− INSURANCE DEPARTMENT − SUNSET AMENDMENTS AND REVISIONS *(S. Jenkins)*
Read the first time by short title and referred to the Rules Committee. 88
Placed on calendar 107
Read the second time 115
Read the third time 130
Transmitted to the House 131
Signed by the President and transmitted to the Governor 254

S.B. 15 −− GRAMA APPEALS PROCESS AND DOCUMENT REQUEST AMENDMENTS *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 88
Assigned to standing committee 108
Committee report adopted and placed on calendar 153
Read the second time 194
Amendments . . . . . 194 , 232
Read the third time 205
Circled 205
Uncircled 232
Transmitted to the House 237
Enacting Clause Stricken 994

S.B. 16 −− CIVIL ANTITRUST AMENDMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Committee report adopted and placed on calendar 126

Read the second time 179
Circled 180
Uncircled 196
Amendments 196, 253
Read the third time . . . . . 206 , 252
Placed on Time Certain Calendar 206
Transmitted to the House 253
Signed by the President and transmitted to the Governor 817

S.B. 17 −− HIGHWAY TRANSFER PROCESS AMENDMENTS *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 116
Read the third time 131
Transmitted to the House 131
Signed by the President and transmitted to the Governor 606

S.B. 18 −− DRIVING UNDER THE INFLUENCE AMENDMENTS *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Amendments 124
Committee report adopted and placed on calendar 126
Read the second time 179
Read the third time 190
Transmitted to the House 190
Signed by the President and transmitted to the Governor 347

S.B. 19 −− AMENDMENTS TO INDOOR CLEAN AIR ACT *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 107
Committee report adopted and placed on calendar 126
Read the second time 157
Read the third time 164
Transmitted to the House 164
Placed on Concurrence Calendar 856
Refuse to Concur 860
Refuse to Recede 887
Substituted 952
Returned to the House 952
Signed by the President and transmitted to the Governor 988

S.B. 20 −− REPEAL OF UTAH DIGITAL SIGNATURE ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 118
Read the third time 133
Transmitted to the House 134
Signed by the President and transmitted to the Governor 217

S.B. 21 −− EMPLOYMENT SECURITY AMENDMENTS *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Committee report adopted and placed on calendar 126
Read the second time 137
Read the third time 155
Transmitted to the House 155
Signed by the President and transmitted to the Governor 310

S.B. 22 −− DEPARTMENT OF COMMUNITY AND CULTURE AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Committee report adopted and placed on calendar 314
Read the second time 409
Read the third time 428
Transmitted to the House 429
Signed by the President and transmitted to the Governor 606

S.B. 23 −− OFFICE OF MUSEUM SERVICES *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 117
Read the third time 132
Transmitted to the House 132
Signed by the President and transmitted to the Governor 310

S.B. 24 −− WEAPONS AMENDMENTS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Substituted 719
Amendments 720, 784
Committee report adopted and placed on calendar 720

Read the second time 784
Read the third time 799
Transmitted to the House 799
Intent Language 800
Enacting Clause Stricken 994

S.B. 25 −− COORDINATION WITH TRIBAL LEADERS AMENDMENTS *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 117
Circled 117
Uncircled 135
Read the third time 154
Transmitted to the House 154
Signed by the President and transmitted to the Governor 310

S.B. 26 −− ADMINISTRATIVE RULES REAUTHORIZATION *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 108
Committee report adopted and placed on calendar 153
Read the second time 195
Read the third time 205
Circled 205
Uncircled 206
Transmitted to the House 206
Signed by the President and transmitted to the Governor 310

S.B. 27 −− LAKE POWELL PIPELINE DEVELOPMENT ACT *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 117
Read the third time 132
Transmitted to the House 133
Placed on Concurrence Calendar 311
Concurrence 335
Returned to the House 335
Signed by the President and transmitted to the Governor 347

S.B. 28 −− SALES AND USE TAX − EXEMPTION FOR ISOLATED OR OCCASIONAL SALES *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 89
Assigned to standing committee 122
Committee report adopted and placed on calendar 176
Read the second time 271
Read the third time 279
Transmitted to the House 279
Signed by the President and transmitted to the Governor 434

S.B. 29 −− SALES AND USE TAX EXEMPTION − TELECOMMUNICATIONS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 119
Read the third time 134
Circled 134
Uncircled 156
Transmitted to the House 157
Signed by the President and transmitted to the Governor 988

S.B. 30 −− SALES AND USE TAX EXEMPTION FOR SEMICONDUCTOR FABRICATING,
PROCESSING, RESEARCH, OR DEVELOPMENT MATERIALS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 89
Placed on calendar 107
Read the second time 119
Read the third time 134
Transmitted to the House 134
Signed by the President and transmitted to the Governor 310

S.B. 31 −− SALES AND USE TAX − MANUFACTURING EXEMPTIONS AMENDMENTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 207
Read the third time 238
Transmitted to the House 239
Placed on Concurrence Calendar 959
Circled 960
Uncircled 966
Concurrence . . . . . 960 , 966
Returned to the House 967
Signed by the President and transmitted to the Governor 988

S.B. 32 −− MULTI−CHANNEL VIDEO OR AUDIO SERVICE TAX − COUNTY OR MUNICIPALITY
FRANCHISE FEE TAX CREDIT *(B. Goodfellow)*

Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 208
Read the third time 239
Transmitted to the House 240
Enacting Clause Stricken 994

S.B. 33 −− SALES AND USE TAX EXEMPTIONS FOR CERTAIN BUSINESS INPUTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 209
Read the third time 240
Circled 240, 453, 512
Uncircled 453, 511, 518
Substituted 453
Transmitted to the House 518
Enacting Clause Stricken 994

S.B. 34 −− GROSS RECEIPTS TAX AMENDMENTS, REPEAL AND PUBLIC UTILITY TARIFFS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 209
Circled 209
Uncircled 212
Amendments 212
Read the third time 243
Transmitted to the House 243
Signed by the President and transmitted to the Governor 988

S.B. 35 −− LOCAL OPTION SALES AND USE TAX DISTRIBUTION AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Substituted 151
Committee report adopted and placed on calendar 153
Read the second time 209
Read the third time 240
Transmitted to the House 240
Placed on Concurrence Calendar 951
Concurrence 952
Returned to the House 953
Signed by the President and transmitted to the Governor 988

S.B. 36 −− SCHOOL DISTRICTS − LIMITED AMENDMENTS TO TRUTH IN TAXATION *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 210
Circled 210
Uncircled 251
Read the third time 265
Transmitted to the House 266
Recalled from staff 651
Returned to the House 652
Placed on Concurrence Calendar 818
Concurrence 827
Returned to the House 827
Signed by the President and transmitted to the Governor . . . . . 434 , 833

S.B. 37 −− INCOME TAX − TAXATION OF INDIVIDUALS, ESTATES, AND TRUSTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 90
Assigned to standing committee 109
Committee report adopted and placed on calendar 176
Read the second time 271
Read the third time 280
Transmitted to the House 281
Signed by the President and transmitted to the Governor 587
Returned to the House 691
Placed on Concurrence Calendar 818
Before the Senate 827
Circled 828
Uncircled 837
Concurrence 837
Returned to the House 837
Signed by the President and transmitted to the Governor 857

S.B. 38 −− INDIVIDUAL INCOME TAXATION OF CERTAIN TRUST DISTRIBUTIONS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 90

Assigned to standing committee . . . 109
Committee report adopted and placed on calendar . . . 176
Read the second time . . . 272
Read the third time . . . 281
Transmitted to the House . . . 281
Signed by the President and transmitted to the Governor . . . 606

S.B. 39 -- GENERAL FUND SURPLUS APPROPRIATION FOR WATER DEVELOPMENT PROJECTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. . . . 90
Assigned to standing committee . . . 350
Assigned to a different standing committee . . . 751
Enacting Clause Stricken . . . 996

S.B. 40 -- MINE SAFETY AND CERTIFICATE AMENDMENTS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. . . . 90
Assigned to standing committee . . . 108
Committee report adopted and placed on calendar . . . 126
Read the second time . . . 138
Read the third time . . . 155
Transmitted to the House . . . 156
Signed by the President and transmitted to the Governor . . . 217

S.B. 41 -- RESTRICTIONS ON USE OF PHYSICIAN DISCLOSURES *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. . . . 90
Substituted . . . 109
Assigned to standing committee . . . 109
Amendments . . . 163
Committee report adopted and placed on calendar . . . 163
Read the second time . . . 212
Read the third time . . . 243
Circled . . . 243
Uncircled . . . 267
Transmitted to the House . . . 268
Signed by the President and transmitted to the Governor . . . 832

S.B. 42 -- AMENDMENTS PROHIBITING HEALTH INSURANCE DISCRIMINATION *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 90
Assigned to standing committee . . . 171
Reassigned to standing committee . . . 248
Referred to Rules Committee for interim study . . . 763
Enacting Clause Stricken . . . 996

S.B. 43 -- MINIMUM WAGE AMENDMENTS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. . . . 90
Assigned to standing committee . . . 162
Amendments . . . 762
Referred to Rules Committee for interim study . . . 764
Enacting Clause Stricken . . . 996

S.B. 44 -- HOME INSPECTION STANDARDS *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 91
Assigned to standing committee . . . 122
Substituted . . . 760
Referred to Rules Committee for interim study . . . 763
Enacting Clause Stricken . . . 996

S.B. 45 -- OIL AND GAS CONSERVATION ACCOUNT AMENDMENTS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. . . . 91
Assigned to standing committee . . . 109
Committee report adopted and placed on calendar . . . 163
Read the second time . . . 211
Circled . . . 211
Uncircled . . . 244
Read the third time . . . 251
Transmitted to the House . . . 251
Enacting Clause Stricken . . . 994

S.B. 46 -- UTAH COAL REGULATOR PROGRAM AMENDMENTS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. . . . 91
Assigned to standing committee . . . 161
Committee report adopted and placed on calendar . . . 189
Read the second time . . . 284
Read the third time . . . 298
Transmitted to the House . . . 299
Signed by the President and transmitted to the Governor . . . 550

S.B. 47 -- RESTORATION OF VOTING RIGHTS AMENDMENTS *(B. Goodfellow)*
Read the first time by short title and referred to the Rules Committee. . . . 91
Assigned to standing committee . . . 108
Committee report adopted and placed on calendar . . . 153
Read the second time . . . 196

Read the third time 205
Transmitted to the House 206
Placed on Concurrence Calendar 348
Concurrence 370
Returned to the House 370
Signed by the President and transmitted to the Governor 391

S.B. 48 −− SCHOOL NURSES LEGISLATIVE TASK FORCE *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 108
Committee report adopted and placed on calendar 126
Read the second time 166
Read the third time 177
Circled 177
Uncircled 237
Substituted 237
Transmitted to the House 238
Returned to the Rules Committee 920
Enacting Clause Struck 996

S.B. 49 −− SCHOOL COMMUNITY COUNCIL AMENDMENTS *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 172
Amendments 200, 484
Committee report adopted and placed on calendar 204
Read the second time 291
Read the third time 301
Circled 301, 481
Uncircled . . . . . 481 , 484
Failed 484
Filed 485
Reconsideration 726
Placed on calendar 727
Before the Senate 727
Transmitted to the House 728
Signed by the President and transmitted to the Governor 988

S.B. 50 −− JAIL FUNDING AMENDMENTS *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 108
Substituted 163
Committee report adopted and placed on calendar 163
Read the second time 252
Read the third time 266
Transmitted to the House 266
Signed by the President and transmitted to the Governor 453

S.B. 51 −− DRIVING WITH A CONTROLLED SUBSTANCE IN THE BODY − AMENDMENTS *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 123
Committee report adopted and placed on calendar 163
Read the second time 211
Read the third time 242
Transmitted to the House 243
Signed by the President and transmitted to the Governor 434

S.B. 52 −− ANTIPHISHING PROVISIONS *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 275
Committee report adopted and placed on calendar 351
Read the second time 515
Read the third time 542
Circled 542
Uncircled 592
Transmitted to the House 592
Signed by the President and transmitted to the Governor 758

S.B. 53 −− ADULT PROTECTIVE SERVICES AMENDMENTS *(A. Christensen)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 107
Committee report adopted and placed on calendar 153
Read the second time 182
Read the third time 193
Transmitted to the House 193
Signed by the President and transmitted to the Governor 331

S.B. 54 −− REVENUE FLOW FROM SPEEDING VIOLATIONS *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 123
Amendments 230

Committee report adopted and placed on calendar 231
Read the second time 321
Circled . . . . . 321 , 326, 384
Uncircled 325, 373, 481
Amendments 325
Read the third time 384
Amendments 482
Transmitted to the House 482
Returned to the Staff for filing 833
Enacting Clause Struck 996

S.B. 55 −− ELECTION REFORM *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 122
Substituted 173, 253
Committee report adopted and placed on calendar 176
Read the second time 253
Amendments 254, 267
Read the third time 266
Transmitted to the House 267
Placed on Concurrence Calendar 588
Concurrence 609
Returned to the House 609
Signed by the President and transmitted to the Governor 635

S.B. 56 −− SECONDARY SCHOOL AMENDMENTS *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 108
Amendments 150
Committee report adopted and placed on calendar 153
Read the second time 181
Read the third time 192
Amendments 192
Transmitted to the House 193
Placed on Concurrence Calendar 960
Before the Senate 960
Circled 960
Uncircled 961
Concurrence 961
Returned to the House 961
Signed by the President and transmitted to the Governor 988

S.B. 57 −− TELEHEALTH FOR RURAL UTAH *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 107
Committee report adopted and placed on calendar 126
Read the second time 157
Substituted 157
Read the third time 164
Transmitted to the House 165
Signed by the President and transmitted to the Governor 919

S.B. 58 −− ALCOHOLIC BEVERAGE AMENDMENTS − ELIMINATING ALCOHOL SALES TO YOUTH *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 91
Assigned to standing committee 122
Amendments 186
Committee report adopted and placed on calendar 189
Read the second time 281
Read the third time 296
Circled 296
Uncircled 297
Transmitted to the House 297
Placed on Concurrence Calendar 929
Concurrence 946
Returned to the House 947
Signed by the President and transmitted to the Governor 988

S.B. 59 −− PURCHASING FROM PEOPLE WITH DISABILITIES AMENDMENTS *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Committee report adopted and placed on calendar 176
Read the second time 268
Read the third time 278
Circled 278
Uncircled 287
Amendments 287
Transmitted to the House 288
Signed by the President and transmitted to the Governor 587

S.B. 60 −− WESTERN STATES PRESIDENTIAL PRIMARY *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 348
Committee report adopted and placed on calendar 414
Read the second time 567
Read the third time 577
Transmitted to the House 577
Signed by the President and transmitted to the Governor 988

S.B. 61 −− UNIFORM MEDIATION ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Committee report adopted and placed on calendar 204
Read the second time 308
Amendments 308, 417
Read the third time 342
Circled 342
Uncircled 417
Transmitted to the House 419
Placed on Concurrence Calendar 620
Concurrence 640
Returned to the House 640
Signed by the President and transmitted to the Governor 658

S.B. 62 −− JUDICIAL CONDUCT COMMISSION AMENDMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Committee report adopted and placed on calendar 189
Read the second time 289
Amendments 289
Read the third time 300
Transmitted to the House 301
Signed by the President and transmitted to the Governor 606

S.B. 63 −− ISSUANCE AND DISPLAY OF LICENSE PLATES *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 108
Substituted 762
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 996

S.B. 64 −− LEGISLATIVE COMPENSATION COMMISSION AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 111
Assigned to standing committee 248
Substituted 761
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 996

S.B. 65 −− WILDLAND FIRE SUPPRESSION AMENDMENTS *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 172
Committee report adopted and placed on calendar 264
Read the second time 358
Amendments 358
Read the third time 371
Transmitted to the House 371
Signed by the President and transmitted to the Governor 550

S.B. 66 −− PRICE CONTROLS DURING EMERGENCIES AMENDMENTS *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 247
Read the second time and placed on Consent Calendar 265
Read the third time 333
Transmitted to the House 334
Signed by the President and transmitted to the Governor 434

S.B. 67 −− CONSERVATION EASEMENT RESTRICTED ACCOUNTS *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 161
Amendments 188
Committee report adopted and placed on calendar 189
Read the second time 284
Amendments 284
Read the third time 299
Amendments 299
Transmitted to the House 299
Placed on Concurrence Calendar 620
Concurrence 640
Returned to the House 641
Signed by the President and transmitted to the Governor 658

S.B. 68 −− PLUMBING LICENSE QUALIFICATIONS AMENDMENTS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 171
Amendments 275, 400
Committee report adopted and placed on calendar 277
Read the second time 400
Read the third time 423
Circled 423
Uncircled 448
Transmitted to the House 448
Placed on Concurrence Calendar 871
Concurrence 891
Returned to the House 891
Signed by the President and transmitted to the Governor 909

S.B. 69 −− PROTECTION OF INFORMATION IN CONSUMER CREDIT DATABASES *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 171
Substituted 200
Committee report adopted and placed on calendar 204
Read the second time 290
Circled 291, 384, 391
Uncircled . . . . . 384 , 387 , 395
Amendments . . . . . 387 , 395
Read the third time 419
Transmitted to the House 420
Placed on Concurrence Calendar . . . . . 941 , 956
Returned to the House . . . . . 945 , 956
Concurrence 956
Signed by the President and transmitted to the Governor 988

S.B. 70 −− PROCESS FOR APPROVAL OF WASTE DISPOSAL AMENDMENTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 161
Amendments 188
Committee report adopted and placed on calendar 189
Read the second time 285
Circled 286
Uncircled 288
Amendments 288, 300
Read the third time 300
Transmitted to the House 300
Signed by the President and transmitted to the Governor 606
Veto Override 943
Returned to the House 943

S.B. 71 −− CONSUMER CREDIT PROTECTION *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 176
Assigned to standing committee 184
Committee report adopted and placed on calendar 249
Read the second time 323
Circled 323
Uncircled 372
Substituted 372
Read the third time 383
Amendments 383
Transmitted to the House 383
Place on Concurrence Calendar 830
Concurrence 836
Returned to the House 836
Recalled 911
Returned to the House 912
Signed by the President and transmitted to the Governor . . . . . 857 , 919

S.B. 72 −− HOME SCHOOL AND DUAL ENROLLMENT AMENDMENTS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 176
Assigned to standing committee 185
Amendments 201
Committee report adopted and placed on calendar 204
Read the second time 292
Circled 292, 374
Uncircled 374, 385
Substituted 374
Read the third time 419
Transmitted to the House 419
Enacting Clause Stricken 995

S.B. 73 −− PERSONAL USE OF CAMPAIGN FUNDS *(K. Hale)*
Read the first time by short title and referred to the Rules Committee. 176
Enacting Clause Stricken 996

S.B. 74 −− PRIVATIZATION OF GOVERNMENT FUNCTIONS TASK FORCE *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 189
Assigned to standing committee 199
Committee report adopted and placed on calendar 264
Read the second time 328
Read the third time 357
Amendments 357
Transmitted to the House 358
Enacting Clause Stricken 995

S.B. 75 −− U STAR INITIATIVE *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. 176
Assigned to standing committee 186
Substituted 258
Committee report adopted and placed on calendar 264
Read the second time 322
Amendments 322
Read the third time 355
Circled 355
Uncircled 386
Transmitted to the House 386
Placed on Concurrence Calendar 973
Concurrence 973
Returned to the House 974
Signed by the President and transmitted to the Governor 989

S.B. 76 −− LENDERS REGISTRATION ACTS AMENDMENTS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 204
Assigned to standing committee 247
Substituted 363, 517
Committee report adopted and placed on calendar 367
Read the second time 517
Read the third time 544
Transmitted to the House 544
Enacting Clause Stricken 995

S.B. 77 −− CLASSIFICATION AND INSPECTION OF RECORDS UNDER GRAMA *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 248
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 996

S.B. 78 −− ALTERNATIVE SCHOOL BUILDING PLANS *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 249
Assigned to standing committee 274
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 996

S.B. 79 −− UNIFORM DEBT−MANAGEMENT SERVICES ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 249
Assigned to standing committee 311
Committee report adopted and placed on calendar 368
Read the second time 524
Read the third time 557
Circled 557
Uncircled 613
Transmitted to the House 614
Signed by the President and transmitted to the Governor 885

S.B. 80 −− PUBLIC−PRIVATE PARTNERSHIPS FOR TOLLWAY FACILITIES *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 265
Assigned to standing committee 275
Committee report adopted and placed on calendar 351
Read the second time 500
Circled 501, 522
Uncircled 522
Read the third time 546
Amendments 546
Transmitted to the House 548
Placed on Concurrence Calendar 920
Concurrence 922
Returned to the House 922
Signed by the President and transmitted to the Governor 946

S.B. 81 −− MUNICIPAL REGULATION OF PUBLICLY OWNED REGIONAL UTILITY PLANTS *(M. Waddoups)*
Enacting Clause Stricken 998

S.B. 82 −− MILITARY LIFE INSURANCE PREMIUM *(G. Bell)*
Enacting Clause Stricken 998

S.B. 83 −− SALES AND USE TAX − SINGLE RATE PER COUNTY *(G. Bell)*
Enacting Clause Stricken 998

S.B. 84 −− NONPROFIT ENTITY AMENDMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 333
Assigned to standing committee 362
Committee report adopted and placed on calendar 478
Read the second time 685
Amendments 685
Read the third time 697
Transmitted to the House 697
Placed on Concurrence Calendar 830
Concurrence 836
Returned to the House 836
Signed by the President and transmitted to the Governor 857

S.B. 85 −− STATE−OWNED ART COLLECTIONS INVENTORY PROGRAM *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 333
Assigned to standing committee 348
Substituted 413
Committee report adopted and placed on calendar 414
Read the second time 567
Read the third time 577
Transmitted to the House 578
Signed by the President and transmitted to the Governor 819

S.B. 86 −− AMENDMENTS TO CHILD CARE *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 296
Assigned to standing committee 312
Substituted 439
Committee report adopted and placed on calendar 443
Read the second time 671
Read the third time 694
Transmitted to the House 694
Signed by the President and transmitted to the Governor 865

S.B. 87 −− SCHOOL DISTRICT METHODOLOGY *(P. Hellewell)*
Enacting Clause Stricken 998

S.B. 88 −− DISCLOSURE OF DRIVER LICENSE RECORDS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 249
Assigned to standing committee 275
Substituted 440
Committee report adopted and placed on calendar 443
Read the second time 680
Read the third time 695
Transmitted to the House 695
Signed by the President and transmitted to the Governor 988

S.B. 89 −− SALES AND USE TAX − ATTACHMENT OF TANGIBLE PERSONAL PROPERTY TO REAL PROPERTY *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 249
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 525
Read the third time 558
Transmitted to the House 558
Signed by the President and transmitted to the Governor 988

S.B. 90 −− HOMEOWNERS ASSOCIATION PROVISIONS *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 362
Committee report adopted and placed on calendar 478
Returned to the Rules Committee 569
Enacting Clause Stricken 996

S.B. 91 −− REGULATION OF RESTRAINT, SECLUSION, AND EMERGENCY MEDICATION *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 312
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 996

S.B. 92 −− LICENSURE OF CRANE OPERATORS *(G. Davis)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Substituted 363
Committee report adopted and placed on calendar 367
Read the second time 518
Read the third time 544
Transmitted to the House 545
Placed on Concurrence Calendar 907
Before the Senate 920
Circled 920
Uncircled 921

Concurrence 921
Returned to the House 922
Signed by the President and transmitted to the Governor 946

S.B. 93 −− BOILER AND ELEVATOR SAFETY PROVISIONS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 160
Read the second time and placed on Consent Calendar 189
Read the third time 250
Transmitted to the House 251
Signed by the President and transmitted to the Governor 453

S.B. 94 −− AMENDMENTS TO UTAH COMPREHENSIVE HEALTH INSURANCE POOL *(G. Davis)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 199
Committee report adopted and placed on calendar 249
Read the second time 327
Read the third time 356
Transmitted to the House 357
Enacting Clause Stricken 995

S.B. 95 −− PSYCHOLOGIST LICENSING ACT AMENDMENTS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Committee report adopted and placed on calendar 153
Read the second time 182
Read the third time 193
Transmitted to the House 194
Signed by the President and transmitted to the Governor 347

S.B. 96 −− PUBLIC EDUCATION − INSTRUCTION AND POLICY RELATING TO THE ORIGINS OF LIFE *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 108
Committee report adopted and placed on calendar 126
Read the second time 166
Amendments 166
Read the third time 177
Circled 177
Uncircled 178
Amendments 178
Transmitted to the House 179
Returned to the staff for filing 821
Enacting Clause Struck 995

S.B. 97 −− STUDENT CLUB AMENDMENTS *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 296
Assigned to standing committee 311
Amendments 716, 775
Committee report adopted and placed on calendar 720
Read the second time 746
Substituted 746
Read the third time 775
Transmitted to the House 777
Enacting Clause Stricken 995

S.B. 98 −− SAFETY BELT ENFORCEMENT AMENDMENTS *(K. Hale)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 172
Committee report adopted and placed on calendar 264
Read the second time 384
Read the third time 416
Transmitted to the House 416
Enacting Clause Stricken 995

S.B. 99 −− COUNTY RECORDER AMENDMENTS *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Amendments 173
Committee report adopted and placed on calendar 176
Read the second time 270
Read the third time 279
Circled 279
Uncircled 280
Transmitted to the House 280
Placed on Concurrence Calendar 434
Concurrence 480
Returned to the House 480
Signed by the President and transmitted to the Governor 502

S.B. 100 −− COUNTY OFFICER AMENDMENTS *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 122
Committee report adopted and placed on calendar 176
Read the second time 269
Amendments 269
Read the third time 278
Circled 278
Uncircled 279
Transmitted to the House 280
Signed by the President and transmitted to the Governor 453

S.B. 101 −− COUNTY ASSISTANCE TO NONPROFIT ENTITIES *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 185
Committee report adopted and placed on calendar 231
Read the second time 317
Read the third time 342
Transmitted to the House 343
Signed by the President and transmitted to the Governor 550

S.B. 102 −− GIFTS TO PUBLIC OFFICIALS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 92
Assigned to standing committee 248
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 997

S.B. 103 −− PROHIBITION OF CONTINGENT FEES FOR EXPERT WITNESSES *(D. Thomas)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 161
Amendments 203
Committee report adopted and placed on calendar 204
Read the second time 244
Circled 244, 252
Uncircled 252, 317
Substituted 252
Read the third time 343
Transmitted to the House 343
Signed by the President and transmitted to the Governor 820

S.B. 104 −− PRESCRIBING PRACTICES FOR SCHEDULE II DRUGS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 172
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 105 −− COUNTY OFFICER REVISIONS *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 248
Returned to the Rules Committee 296
Enacting Clause Stricken 997

S.B. 106 −− UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 200
Committee report adopted and placed on calendar 264
Read the second time 385
Read the third time 416
Amendments 416
Transmitted to the House 417
Signed by the President and transmitted to the Governor 989

S.B. 107 −− TITLE TO MANUFACTURED HOUSING OR MOBILE HOMES *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 122
Amendments 530
Committee report adopted and placed on calendar 534
Placed on calendar 642
Read the second time 705
Amendments 705
Read the third time 735
Transmitted to the House 735
Signed by the President and transmitted to the Governor 855

S.B. 108 −− ETHICS IN DENTAL ADVERTISING *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 122
Committee report adopted and placed on calendar 153
Read the second time 180
Read the third time 190

Amendments 190
Transmitted to the House 191
Placed on Concurrence Calendar 333
Concurrence 353
Returned to the House 353
Signed by the President and transmitted to the Governor 377

S.B. 109 −− UNIFORM COMMERCIAL CODE − WAREHOUSE RECEIPTS, BILLS OF LADING, AND OTHER DOCUMENTS OF TITLE *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 161
Committee report adopted and placed on calendar 189
Read the second time 282
Read the third time 297
Transmitted to the House 298
Signed by the President and transmitted to the Governor 434

S.B. 110 −− PROTECTION OF CERTAIN VOTER INFORMATION *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 122
Committee report adopted and placed on calendar 176
Read the second time 270
Read the third time 278
Enacting Clause Stricken . . . . . 278 , 997

S.B. 111 −− WATER CONSERVANCY DISTRICT AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 109
Committee report adopted and placed on calendar 163
Read the second time 211
Read the third time 242
Transmitted to the House 242
Signed by the President and transmitted to the Governor 347

S.B. 112 −− CENTERS OF EXCELLENCE AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 108
Amendments 152
Committee report adopted and placed on calendar 153
Read the second time 210
Read the third time 241
Transmitted to the House 241
Signed by the President and transmitted to the Governor 434

S.B. 113 −− GOVERNMENTAL IMMUNITY LIMITS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 122
Amendments 257
Committee report adopted and placed on calendar 264
Read the second time 328
Substituted 328
Circled 328
Uncircled 374
Read the third time 384
Transmitted to the House 384
Placed on Concurrence Calendar 973
Concurrence 974
Returned to the House 974
Signed by the President and transmitted to the Governor 989

S.B. 114 −− PRODUCER AND AFFILIATE DISCLOSURE AMENDMENTS *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 171
Substituted 276
Committee report adopted and placed on calendar 277
Read the second time 400
Read the third time 423
Amendments 423
Transmitted to the House 424
Enacting Clause Stricken 995

S.B. 115 −− CONTINUING EDUCATION IN INSURANCE *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 122
Committee report adopted and placed on calendar 153
Read the second time 180
Read the third time 191
Transmitted to the House 191
Placed onConcurrence Calendar 434
Concurrence 480

Returned to the House 481
Signed by the President and transmitted to the Governor 502

S.B. 116 −− DEPARTMENT OF FINANCIAL INSTITUTION'S FEES *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 93
Assigned to standing committee 185
Committee report adopted and placed on calendar 277
Read the second time 401
Read the third time 424
Transmitted to the House 424
Signed by the President and transmitted to the Governor 674

S.B. 117 −− EMINENT DOMAIN AMENDMENTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 172
Committee report adopted and placed on calendar 231
Read the second time 318
Read the third time 343
Transmitted to the House 344
Placed onConcurrence Calendar 634
Before the Senate 641
Circled 641
Concur 645
Uncircled 645
Returned to the House 646
Signed by the President and transmitted to the Governor 658

S.B. 118 −− DRIVING BY MINORS AMENDMENTS *(K. Hale)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 108
Committee report adopted and placed on calendar 126
Read the second time 179
Circled 179
Uncircled 282
Amendments 283
Read the third time 298
Circled 298
Uncircled 603
Amendments 603
Transmitted to the House 604
Signed by the President and transmitted to the Governor 933

S.B. 119 −− REPEAL OF OFF−HIGHWAY VEHICLE REGISTRATION NUMBER *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 162
Committee report adopted and placed on calendar 231
Read the second time 321
Read the third time 354
Transmitted to the House 355
Signed by the President and transmitted to the Governor 606

S.B. 120 −− GOVERNOR'S RURAL PARTNERSHIP BOARD AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 109
Committee report adopted and placed on calendar 153
Read the second time 210
Read the third time 241
Transmitted to the House 242
Enacting Clause Stricken 995

S.B. 121 −− SMALL COLLEGE ENHANCEMENTS *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 275
Substituted 367
Committee report adopted and placed on calendar 368
Read the second time 525
Read the third time 558
Amendments 558
Transmitted to the House 559
Enacting Clause Stricken 995

S.B. 122 −− REPEAL OF LIBEL PROVISIONS *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 161
Substituted 262
Amendments 262
Committee report adopted and placed on calendar 264
Read the second time 395
Read the third time 420
Transmitted to the House 420
Enacting Clause Stricken 995

S.B. 123 −− UTAH CONSUMER CREDIT CODE AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 161
Committee report adopted and placed on calendar 249
Read the second time 323
Amendments 323
Read the third time 355
Transmitted to the House 355
Signed by the President and transmitted to the Governor 606

S.B. 124 −− ALCOHOL BEVERAGE CONTROL AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 171
Amendments 436
Committee report adopted and placed on calendar 443
Read the second time 632
Read the third time 655
Circled 655, 727
Uncircled 727, 768
Substituted 727
Transmitted to the House 769
Signed by the President and transmitted to the Governor 817

S.B. 125 −− MALIK'S LAW − HOMICIDE AMENDMENT *(F. Fife)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 122
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 126 −− TRANSPORTATION OF CHILDREN IN KINDERGARTEN THROUGH SIXTH GRADE *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 108
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 127 −− VACATING OR CHANGING A SUBDIVISION PLAT *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 161
Committee report adopted and placed on calendar 204
Read the second time 292
Circled 292, 359
Uncircled 359, 513
Substituted 359
Amendments 513
Read the third time 541
Transmitted to the House 541
Placed on Concurrence Calendar 857
Concurrence 860
Returned to the House 861
Signed by the President and transmitted to the Governor 885

S.B. 128 −− REVOLVING CREDIT LINE TRUST DEED *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 172
Substituted 313
Committee report adopted and placed on calendar 314
Read the second time 407
Read the third time 427
Transmitted to the House 427
Signed by the President and transmitted to the Governor 988

S.B. 129 −− MOTOR VEHICLE REGISTRATION AMENDMENTS *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 173
Substituted 350
Committee report adopted and placed on calendar 351
Read the second time 501
Circled 501
Uncircled 745
Read the third time 773
Transmitted to the House 773
Signed by the President and transmitted to the Governor 933

S.B. 130 −− JOINT TENANCY AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 122
Committee report adopted and placed on calendar 153
Read the second time 181
Read the third time 191
Transmitted to the House 192
Signed by the President and transmitted to the Governor 347

S.B. 131 −− AUTHORIZATION OF OPINION QUESTIONS TO VOTERS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 94
Assigned to standing committee 185
Amendments 761
Referred to Rules Committee for interim study 763
Placed on calendar 884
Read the second time 884
Substituted 884
Circled 885
Enacting Clause Stricken 997

S.B. 132 −− SURPLUS PROPERTY AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 122
Committee report adopted and placed on calendar 204
Read the second time 292
Read the third time 301
Transmitted to the House 302
Signed by the President and transmitted to the Governor 492

S.B. 133 −− LIABILITY PROTECTIONS FOR CHARITY CARE *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 161
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 134 −− LIEN DURATION OF A FOREIGN JUDGMENT *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 172
Committee report adopted and placed on calendar 264
Read the second time 396
Read the third time 420
Transmitted to the House 421
Signed by the President and transmitted to the Governor 650

S.B. 135 −− INHERENT RISK OF SKIING AMENDMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 161
Committee report adopted and placed on calendar 351
Read the second time 516
Read the third time 542
Transmitted to the House 542
Signed by the President and transmitted to the Governor 919

S.B. 136 −− TAX ON INSURANCE PREMIUMS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 95
Placed on calendar 107
Read the second time 113
Read the third time 128
Transmitted to the House 128
Signed by the President and transmitted to the Governor 310

S.B. 137 −− BUSINESS ORGANIZATION AND DIVISION OF CORPORATIONS AND COMMERCIAL CODE AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 122
Committee report adopted and placed on calendar 189
Read the second time 282
Read the third time 298
Transmitted to the House 298
Signed by the President and transmitted to the Governor 606

S.B. 138 −− TRAFFIC TICKETS AND CONVICTIONS *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 123
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 139 −− REPORTABLE TRANSACTIONS ACT *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 185
Amendments 227
Committee report adopted and placed on calendar 231
Read the second time 321
Read the third time 354
Transmitted to the House 354
Placed on Concurrence Calendar 589
Before the Senate 609
Circled 609
Uncircled 611
Concurrence 611

Returned to the House 611
Signed by the President and transmitted to the Governor 635

S.B. 140 −− UNLAWFUL OUTDOOR ADVERTISING AMENDMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 108
Committee report adopted and placed on calendar 204
Read the second time 291
Read the third time 301
Transmitted to the House 301
Signed by the President and transmitted to the Governor 434

S.B. 141 −− RESPONSE TO HIPAA CHANGES *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. . . . . 95 , 111
Assigned to standing committee 172
Amendments 218
Committee report adopted and placed on calendar 231
Read the second time 319
Read the third time 345
Transmitted to the House 345
Signed by the President and transmitted to the Governor 492

S.B. 142 −− INFORMATION AVAILABLE TO SENATE JUDICIAL CONFIRMATION COMMITTEE *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 161
Read the second time and placed on Consent Calendar 509
Read the third time 607
Transmitted to the House 608
Enacting Clause Stricken 995

S.B. 143 −− REVISOR'S STATUTE *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 112
Placed on calendar 121
Read the second time 137
Read the third time 154
Transmitted to the House 155
Signed by the President and transmitted to the Governor 217

S.B. 144 −− CHILD CARE EXEMPTIONS AMENDMENTS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 112
Enacting Clause Stricken 997

S.B. 145 −− REGULATION OF DIRECT PATHOLOGY BILLING *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 185
Substituted 313
Committee report adopted and placed on calendar 314
Read the second time 408
Circled 408, 778
Uncircled 778, 782
Substituted 778
Read the second and third time 782
Transmitted to the House 782
Enacting Clause Stricken 995

S.B. 146 −− PHYSICIAN ASSISTANTS AND PUBLIC HEALTH AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 172
Committee report adopted and placed on calendar 231
Read the second time 320
Read the third time 353
Transmitted to the House 354
Signed by the President and transmitted to the Governor 606

S.B. 147 −− DIVISION OF CONSUMER PROTECTION AMENDMENTS *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 161
Committee report adopted and placed on calendar 249
Read the second time 327
Read the third time 356
Transmitted to the House 356
Placed on Concurrence Calendar 758
Concurrence 782
Returned to the House 783
Signed by the President and transmitted to the Governor 801, 989

S.B. 148 −− PUNITIVE DAMAGES − DISCOVERY OF WEALTH *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 172
Amendments 263, 421
Committee report adopted and placed on calendar 264

Read the second time 396
Amendments 396
Read the third time 421
Transmitted to the House 421
Placed on Concurrence Calendar 634
Refuse to Concur 641
Returned to the House 641
Refuse to Recede 658
Substituted 759
Joint Conference Committee Report 759
Returned to the House 760
Signed by the President and transmitted to the Governor 774

S.B. 149 −− PROVIDING FOR INDIGENT DEFENSE *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 161
Committee report adopted and placed on calendar 204
Read the second time 315
Amendments 315
Read the third time 342
Transmitted to the House 342
Signed by the President and transmitted to the Governor 606

S.B. 150 −− EXPUNGEMENT AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 126
Assigned to standing committee 172
Substituted 263
Amendments 263
Committee report adopted and placed on calendar 264
Read the second time 397
Circled 397, 422
Uncircled 398, 449
Amendments 399
Read the third time 422
Transmitted to the House 449
Signed by the President and transmitted to the Governor 620

S.B. 151 −− PROPERTY TAX − NOTICE AND HEARING AMENDMENTS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 127
Assigned to standing committee 200
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 997

S.B. 152 −− MEDICAID TASK FORCE *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 127
Assigned to standing committee 185
Committee report adopted and placed on calendar 231
Read the second time 320
Read the third time 354
Circled 354
Uncircled 448
Substituted 448
Transmitted to the House 449
Enacting Clause Stricken 995

S.B. 153 −− UNIFORM ENVIRONMENTAL COVENANTS ACT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 127
Assigned to standing committee 172
Amendments 259
Committee report adopted and placed on calendar 264
Read the second time 359
Read the third time 372
Transmitted to the House 372
Placed on Concurrence Calendar 606
Concurrence 639
Returned to the House 639
Signed by the President and transmitted to the Governor 658

S.B. 154 −− SALES AND USE TAX EXEMPTION FOR CERTAIN ADMISSIONS TO OR RIGHTS TO USE THE PREMISES OF A PRIVATE CLUB *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. 127
Assigned to standing committee 185
Committee report adopted and placed on calendar 231
Read the second time 321
Circled 321
Uncircled 697
Read the second and third time 698
Transmitted to the House 698
Enacting Clause Stricken 995

S.B. 155 −− AMENDMENTS TO COUNTY AND MUNICIPAL LAND USE PROVISIONS *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 153
Assigned to standing committee 185
Substituted 258
Committee report adopted and placed on calendar 264
Read the second time 328
Read the third time 358
Circled 358
Uncircled 370
Amendments 370
Transmitted to the House 371
Placed on Concurrence Calendar 907
Concurrence 920
Returned to the House 921
Signed by the President and transmitted to the Governor 946

S.B. 156 −− LEGISLATIVE DIRECTION RELATING TO UNITED STATES SENATORS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 153
Assigned to standing committee 172
Substituted 293
Committee report adopted and placed on calendar 295
Read the second time 405
Read the third time 425
Transmitted to the House 426
Enacting Clause Stricken 995

S.B. 157 −− IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 153
Assigned to standing committee 172
Committee report adopted and placed on calendar 314
Read the second time 408
Read the third time 427
Transmitted to the House 427
Enacting Clause Stricken 994

S.B. 158 −− ADMINISTRATIVE RULEMAKING AUTHORITY AMENDMENTS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 172
Committee report adopted and placed on calendar 231
Read the second time 318
Read the third time 344
Transmitted to the House 344
Signed by the President and transmitted to the Governor 635

S.B. 159 −− DISTRICT COURT JUDGE *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 172
Committee report adopted and placed on calendar 264
Read the second time 397
Read the third time 421
Transmitted to the House 422
Signed by the President and transmitted to the Governor 930

S.B. 160 −− PHYSICIAN LICENSING AMENDMENTS *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 312
Amendments 379
Committee report adopted and placed on calendar 382
Read the second time 560
Read the third time 575
Transmitted to the House 576
Placed on Concurrence Calendar 828
Concurrence 835
Returned to the House 835
Signed by the President and transmitted to the Governor . . . . . 620 , 857

S.B. 161 −− MECHANICS' LIEN AND PAYMENT AMENDMENTS *(S. Jenkins)*
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 185
Substituted 438
Committee report adopted and placed on calendar 443
Read the second time 633
Amendments 633
Read the third time 655
Transmitted to the House 655
Signed by the President and transmitted to the Governor 832

S.B. 162 −− DEPARTMENT OF FINANCIAL INSTITUTIONS ENFORCEMENT OF APPLICABLE LAW *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee 247

Committee report adopted and placed on calendar . . . 277
Read the second time . . . 401
Amendments . . . 401
Read the third time . . . 424
Transmitted to the House . . . 425
Signed by the President and transmitted to the Governor . . . 674

S.B. 163 −− STATEMENT UNDER PENALTY OF PERJURY *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 176
Assigned to standing committee . . . 185
Amendments . . . 264
Committee report adopted and placed on calendar . . . 264
Read the second time . . . 398
Substituted . . . 398, 452
Circled . . . 398, 452
Uncircled . . . 452, 515
Read the third time . . . 541
Transmitted to the House . . . 542
Enacting Clause Stricken . . . 995

S.B. 164 −− REPEAL OF ORDINATION BY INTERNET *(G. Davis)*
Read the first time by short title and referred to the Rules Committee. . . . 176
Assigned to standing committee . . . 200
Read the second time and placed on Consent Calendar . . . 265
Read the third time . . . 334
Transmitted to the House . . . 335
Signed by the President and transmitted to the Governor . . . 779

S.B. 165 −− CORPORATIONS − PROFESSIONAL SERVICES AMENDMENT *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. . . . 176
Assigned to standing committee . . . 199
Substituted . . . 277
Read the second time and placed on Consent Calendar . . . 278
Read the third time . . . 352
Transmitted to the House . . . 352
Signed by the President and transmitted to the Governor . . . 650

S.B. 166 −− MORATORIUM ON ISSUING SALES TAX REVENUE BONDS BY LOCAL GOVERNMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. . . . 176
Assigned to standing committee . . . 185
Referred to Rules Committee for interim study . . . 764
Enacting Clause Stricken . . . 997

S.B. 167 −− JUVENILE OFFENSES − DIVERSION AMENDMENT *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. . . . 176
Assigned to standing committee . . . 349
Committee report adopted and placed on calendar . . . 443
Read the second time . . . 684
Read the third time . . . 697
Transmitted to the House . . . 697
Signed by the President and transmitted to the Governor . . . 907

S.B. 168 −− COMMUNITY ASSOCIATION ACT AMENDMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. . . . 189
Assigned to standing committee . . . 199
Committee report adopted and placed on calendar . . . 367
Read the second time . . . 521
Read the third time . . . 545
Amendments . . . 545
Transmitted to the House . . . 546
Place on Concurrence Calendar . . . 871
Concurrence . . . 891
Returned to the House . . . 892
Signed by the President and transmitted to the Governor . . . 909

S.B. 169 −− SALES AND USE TAX − DENTAL PROSTHESES *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. . . . 189
Assigned to standing committee . . . 200
Committee report adopted and placed on calendar . . . 277
Read the second time . . . 404
Read the third time . . . 425
Transmitted to the House . . . 425
Enacting Clause Stricken . . . 995

S.B. 170 −− LOCAL GOVERNMENT LAND USE AND IMPACT FEE REVISIONS *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. . . . 189
Assigned to standing committee . . . 199
Reassigned to standing committee . . . 248
Referred to Rules Committee for interim study . . . 767
Enacting Clause Stricken . . . 997

S.B. 171 −− JUDICIARY AMENDMENTS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 190
Assigned to standing committee 200
Committee report adopted and placed on calendar 264
Read the second time 398
Read the third time 422
Transmitted to the House 422
Signed by the President and transmitted to the Governor 635

S.B. 172 −− VITAL STATISTICS ACT AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 190
Assigned to standing committee 199
Read the second time and placed on Consent Calendar 278
Read the third time 352
Transmitted to the House 352
Signed by the President and transmitted to the Governor 550
Enacting Clause Stricken 995

S.B. 173 −− LICENSURE OF PROGRAMS AND FACILITIES − CRIMINAL BACKGROUND CHECK AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee 248
Committee report adopted and placed on calendar 351
Read the second time 516
Amendments 516
Read the third time 542
Reconsideration 543
Before the Senate 543
Amendments 543
Transmitted to the House . . . . . 543 , 544
Signed by the President and transmitted to the Governor 988

S.B. 174 −− IN−STATE TUITION FOR MEMBERS OF UTAH NATIONAL GUARD *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee 311
Committee report adopted and placed on calendar 367
Read the second time 523
Read the third time 548
Transmitted to the House 549
Signed by the President and transmitted to the Governor 832

S.B. 175 −− CORRECTIONAL FACILITY BIDDING PROCESS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 248
Substituted 367, 625
Amendments 367, 625
Committee report adopted and placed on calendar 368
Read the second time 526
Read the third time 559
Circled 559
Uncircled 625
Transmitted to the House 626
Enacting Clause Stricken 995

S.B. 176 −− CONTACT LENS CONSUMER PROTECTION ACT *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 274
Substituted 438
Committee report adopted and placed on calendar 443
Read the second time 655
Amendments 656, 668
Read the third time 667
Reconsideration 673
Transmitted to the House . . . . . 669 , 674
Placed on Concurrence Calendar 969
Concurrence 969
Returned to the House 969
Signed by the President and transmitted to the Governor 989

S.B. 177 −− WATER RIGHT APPLICATION AMENDMENT *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 248
Committee report adopted and placed on calendar 351
Read the second time 500
Read the third time 511
Transmitted to the House 511
Signed by the President and transmitted to the Governor 714

S.B. 178 −− STATE EXECUTIVE COMPENSATION − DEPARTMENT OF HEALTH *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 231

Assigned to standing committee 349
Committee report adopted and placed on calendar 414
Read the second time 568
Read the third time 578
Transmitted to the House 578
Signed by the President and transmitted to the Governor 907

S.B. 179 −− AMENDMENTS TO SALES AND USE TAX EXEMPTIONS FOR CERTAIN VEHICLES, BOATS, BOAT TRAILERS, AND OUTBOARD MOTORS *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 350
Committee report adopted and placed on calendar 414
Read the second time 630
Read the third time 643
Transmitted to the House 643
Signed by the President and transmitted to the Governor 988

S.B. 180 −− MOTOR VEHICLE LEASE AGREEMENTS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 248
Committee report adopted and placed on calendar 295
Read the second time 407
Read the third time 426
Transmitted to the House 427
Signed by the President and transmitted to the Governor 714

S.B. 181 −− RESTORATION OF FELON'S RIGHT TO HOLD OFFICE *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 231
Assigned to standing committee 275
Committee report adopted and placed on calendar 351
Read the second time 517
Enacting Clause Stricken . . . . . 517 , 997

S.B. 182 −− DIRECT SALES AMENDMENTS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 275
Committee report adopted and placed on calendar 295
Read the second time 407
Circled 407
Uncircled 410
Read the third time 429
Transmitted to the House 430
Placed on Concurrence Calendar 606
Concurrence 639
Returned to the House 640
Signed by the President and transmitted to the Governor 658

S.B. 183 −− UTAH EMERGENCY MEDICAL SERVICES ACT AMENDMENTS *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 313
Substituted 382
Read the second time and placed on Consent Calendar 382
Read the third time 479
Transmitted to the House 480
Signed by the President and transmitted to the Governor 674

S.B. 184 −− CRIMINAL IDENTITY FRAUD AMENDMENTS *(C. Walker)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 445
Read the third time 540
Transmitted to the House 540
Signed by the President and transmitted to the Governor 988

S.B. 185 −− DRUG OFFENDER REFORM ACT AMENDMENTS *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 312
Read the second time and placed on Consent Calendar 509
Read the third time 608
Transmitted to the House 608
Signed by the President and transmitted to the Governor 758

S.B. 186 −− REVOCATION OF DEATH BENEFITS BY DIVORCE *(K. Hale)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 312
Read the second time and placed on Consent Calendar 445
Read the third time 540
Transmitted to the House 541
Signed by the President and transmitted to the Governor 714

S.B. 187 −− SCIENCE AND TECHNOLOGY EDUCATION PROGRAM *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 274
Committee report adopted and placed on calendar 314
Read the second time 408
Circled 408
Uncircled 409
Read the third time 429
Transmitted to the House 429
Signed by the President and transmitted to the Governor 930

S.B. 188 −− PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 312
Placed on calendar 641
Amendments 507, 793
Committee report adopted and placed on calendar 508
Read the second time 699
Read the third time 733
Circled 733
Uncircled 793
Transmitted to the House 795
Enacting Clause Stricken 995

S.B. 189 −− CONSTITUTIONAL REVISION COMMISSION AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 265
Assigned to standing committee 275
Committee report adopted and placed on calendar 295
Read the second time 405
Amendments 406
Read the third time 426
Transmitted to the House 426
Signed by the President and transmitted to the Governor 620

S.B. 190 −− SHARED GOVERNMENT RECORDS AMENDMENTS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. 265
Assigned to standing committee 311
Amendments 365
Committee report adopted and placed on calendar 368
Read the second time 524
Substituted 525
Read the third time 557
Transmitted to the House 558
Signed by the President and transmitted to the Governor 885

S.B. 191 −− SERVICE CONTRACTS ACT AMENDMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 278
Assigned to standing committee 311
Committee report adopted and placed on calendar 443
Read the second time 670
Read the third time 692
Transmitted to the House 692
Signed by the President and transmitted to the Governor 817

S.B. 192 −− EXEMPTIONS TO RESIDENTIAL PROPERTY TAX *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 278
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 559
Circled 560
Enacting Clause Stricken 997

S.B. 193 −− SPEED CONTEST OR EXHIBITION AMENDMENTS *(K. Hale)*
Read the first time by short title and referred to the Rules Committee. 382
Assigned to standing committee 394
Committee report adopted and placed on calendar 443
Read the second time 680
Amendments 680
Read the third time 695
Transmitted to the House 696
Signed by the President and transmitted to the Governor 885

S.B. 194 −− CUSTODY AMENDMENTS *(G. Bell)*
Enacting Clause Stricken 998

S.B. 195 −− CHILD SUPPORT GUIDELINES *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 368
Assigned to standing committee 378
Committee report adopted and placed on calendar 478
Placed on Time Certain Calendar 527
Read the second time 646

Amendments 646
Read the third time 667
Transmitted to the House 667
Enacting Clause Stricken 995

S.B. 196 −− REVISIONS TO REDEVELOPMENT AGENCY PROVISIONS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 445
Assigned to standing committee 456
Committee report adopted and placed on calendar 508
Placed on calendar 641
Read the second time 702
Read the third time 734
Circled 734, 769
Uncircled 769, 797
Substituted 769
Transmitted to the House 798
Placed on Concurrence Calendar 945
Concurrence 947
Returned to the House 947
Signed by the President and transmitted to the Governor 988

S.B. 197 −− EMPLOYEE NONCOMPETITION CONTRACTS *(E. Mayne)*
Enacting Clause Stricken 998

S.B. 198 −− PROPERTY TAX − INTANGIBLE PROPERTY *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 351
Assigned to standing committee 363
Committee report adopted and placed on calendar 414
Read the second time 631
Read the third time 646
Circled 646
Uncircled 649
Transmitted to the House 649
Signed by the President and transmitted to the Governor 832

S.B. 199 −− SCHOOL COMMUNITY COUNCIL POWERS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 509
Assigned to standing committee 520
Referred to Rules Committee for interim study 763
Enacting Clause Stricken 997

S.B. 200 −− VOTER REGISTRATION − PROOF OF CITIZENSHIP *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 333
Assigned to standing committee 349
Committee report adopted and placed on calendar 414
Read the second time 568
Circled 568
Enacting Clause Stricken 997

S.B. 201 −− ANTICAMCORDER PIRACY *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 689
Assigned to standing committee 750
Placed on calendar 821
Read the second and third time 846
Transmitted to the House 846
Enacting Clause Stricken 995

S.B. 202 −− USE OF OIL AND GAS TAX REVENUES *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 382
Assigned to standing committee 394
Amendments 477, 724
Committee report adopted and placed on calendar 478
Placed on calendar 641
Read the second time 700
Circled 700
Uncircled 724
Read the third time 769
Transmitted to the House 770
Enacting Clause Stricken 995

S.B. 203 −− TELEPHONE SOLICITATION AMENDMENTS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 278
Assigned to standing committee 311
Substituted 760
Referred to Rules Committee for interim study 763
Enacting Clause Stricken 997

S.B. 204 −− HIGH SCHOOL GRADUATION AMENDMENTS *(M. Madsen)*
Read the first time by short title and referred to the Rules Committee. 351
Assigned to standing committee 362
Amendments 439, 672

Committee report adopted and placed on calendar . . . 443
Read the second time . . . 671
Read the third time . . . 694
Transmitted to the House . . . 695
Enacting Clause Stricken . . . 995

S.B. 205 −− REAL PROPERTY − PARTIAL RELEASE OR PARTIAL RECONVEYANCE *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. . . . 296
Assigned to standing committee . . . 348
Committee report adopted and placed on calendar . . . 443
Read the second time . . . 670
Read the third time . . . 692
Transmitted to the House . . . 693
Signed by the President and transmitted to the Governor . . . 870

S.B. 206 −− CHILD PROTECTION REGISTRY AMENDMENTS *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. . . . 278
Assigned to standing committee . . . 312
Substituted . . . 414, 632
Committee report adopted and placed on calendar . . . 414
Read the second time . . . 632
Read the third time . . . 646
Circled . . . 646
Uncircled . . . 770
Amendments . . . 770
Transmitted to the House . . . 771
Enacting Clause Stricken . . . 995

S.B. 207 −− PRESUMPTIVE PERSONAL REPRESENTATIVE *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. . . . 296
Assigned to standing committee . . . 312
Committee report adopted and placed on calendar . . . 382
Read the second time . . . 566
Read the third time . . . 577
Circled . . . 577
Uncircled . . . 591
Transmitted to the House . . . 592
Enacting Clause Stricken . . . 995

S.B. 208 −− REPORTING OF TAX EXPENDITURES *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 368
Assigned to standing committee . . . 379
Substituted . . . 760
Referred to Rules Committee for interim study . . . 760
Enacting Clause Stricken . . . 997

S.B. 209 −− WASTE FEE AMENDMENTS *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. . . . 445
Assigned to standing committee . . . 456
Placed on calendar . . . 642
Amendments . . . 504 , 703
Committee report adopted and placed on calendar . . . 508
Read the second time . . . 703
Read the third time . . . 734
Transmitted to the House . . . 734
Signed by the President and transmitted to the Governor . . . 930

S.B. 210 −− EMINENT DOMAIN CHANGES *(S. Jenkins)*
Read the first time by short title and referred to the Rules Committee. . . . 382
Assigned to standing committee . . . 394
Referred to Rules Committee for interim study . . . 767
Enacting Clause Stricken . . . 997

S.B. 211 −− EMPLOYER RESTRICTIONS ON EMPLOYEE POSSESSION OF FIREARMS IN PARKING LOT *(M. Madsen)*
Enacting Clause Stricken . . . 998

S.B. 212 −− VETERAN SURVIVOR AND DEPENDENT HIGHER EDUCATION BENEFIT *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 415
Assigned to standing committee . . . 455
Committee report adopted and placed on calendar . . . 534
Placed on calendar . . . 642
Read the second time . . . 706
Read the third time . . . 735
Transmitted to the House . . . 735
Enacting Clause Stricken . . . 995

S.B. 213 −− CLARIFICATIONS TO GUARDIAN AD LITEM *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. . . . 315
Assigned to standing committee . . . 349
Amendments . . . 380, 560

Committee report adopted and placed on calendar . . . 382
Read the second time . . . 560
Read the third time . . . 576
Transmitted to the House . . . 576
Enacting Clause Stricken . . . 995

S.B. 214 −− OFFICE OF STATE DEBT COLLECTION AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. . . . 351
Assigned to standing committee . . . 362
Committee report adopted and placed on calendar . . . 414
Read the second time . . . 568
Read the third time . . . 578
Transmitted to the House . . . 579
Signed by the President and transmitted to the Governor . . . 857

S.B. 215 −− ELECTRONIC WASTE TASK FORCE AND MORATORIUM ON ELECTRONIC WASTE DISPOSAL *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. . . . 415
Assigned to standing committee . . . 435
Amendments . . . 504
Committee report adopted and placed on calendar . . . 508
Placed on calendar . . . 642
Read the second time . . . 704
Read the third time . . . 734
Circled . . . 734
Enacting Clause Stricken . . . 997

S.B. 216 −− CHILDREN'S JUSTICE CENTER FUNDING *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. . . . 296
Assigned to standing committee . . . 312
Referred to Rules Committee for interim study . . . 767
Enacting Clause Stricken . . . 997

S.B. 217 −− SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. . . . 351
Assigned to standing committee . . . 363
Returned to the Rules Committee . . . 445
Enacting Clause Stricken . . . 997

S.B. 218 −− REGULATION OF UNCONSCIONABLE PROVISIONS IN PURCHASE, RENEW, AND RETURN TYPE LEASES *(C. Bramble)*
Enacting Clause Stricken . . . 998

S.B. 219 −− TEACHER CURRICULUM TRAINING *(P. Hellewell)*
Enacting Clause Stricken . . . 998

S.B. 220 −− TIE BIDS − PREFERENCE FOR IN−STATE COMMODITIES *(D. Peterson)*
Read the first time by short title and referred to the Rules Committee. . . . 382
Assigned to standing committee . . . 394
Committee report adopted and placed on calendar . . . 478
Read the second time . . . 698
Read the third time . . . 732
Transmitted to the House . . . 732
Signed by the President and transmitted to the Governor . . . 817

S.B. 221 −− LEVIES FOR THE ASSESSMENT AND COLLECTION OF PROPERTY TAXES *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. . . . 537
Assigned to standing committee . . . 552
Committee report adopted and placed on calendar . . . 622
Placed on calendar . . . 642
Read the second time . . . 723
Circled . . . 724
Uncircled . . . 725
Read the third time . . . 772
Substituted . . . 772
Transmitted to the House . . . 772
Signed by the President and transmitted to the Governor . . . 855

S.B. 222 −− OUTDOOR ADVERTISING − HEIGHT ADJUSTMENT OF SIGNS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. . . . 368
Assigned to standing committee . . . 378
Amendments . . . 438
Committee report adopted and placed on calendar . . . 443
Read the second time . . . 670
Read the third time . . . 693
Transmitted to the House . . . 693
Signed by the President and transmitted to the Governor . . . 820

S.B. 223 −− PROPERTY TAXES ON GOLF COURSES AND OTHER OPEN SPACE *(G. Bell)*
Enacting Clause Stricken . . . 998

S.B. 224 −− MOTOR VEHICLE INSURANCE AMENDMENTS *(S. Killpack)*
Read the first time by short title and referred to the Rules Committee. . . . 351

Assigned to standing committee 363
Amendments 440
Committee report adopted and placed on calendar 443
Read the second time 681
Read the third time 696
Transmitted to the House 696
Signed by the President and transmitted to the Governor 833

S.B. 225 −− PAYMENT OF TAX OR BONDING IN TAX CASES *(H. Stephenson)*
Read the first time by short title and referred to the Rules Committee. 382
Assigned to standing committee 394
Placed on calendar 641
Amendments 476
Committee report adopted and placed on calendar 478
Read the second time 700
Read the third time 733
Transmitted to the House 733
Signed by the President and transmitted to the Governor 865

S.B. 226 −− REGISTRATION AND TITLE PROVISIONS *(D. Eastman)*
Read the first time by short title and referred to the Rules Committee. 333
Assigned to standing committee 350
Amendments 380
Committee report adopted and placed on calendar 382
Read the second time 566
Read the third time 576
Transmitted to the House 577
Signed by the President and transmitted to the Governor 930

S.B. 227 −− RESPONSIBILITIES OF PUBLIC TRANSIT DISTRICTS *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. 445
Assigned to standing committee 494
Amendments 763
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 997

S.B. 228 −− SPECIAL REVENUE FUND FOR SALINITY OFFSET PROGRAM *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 479
Assigned to standing committee 521
Committee report adopted and placed on calendar 590
Placed on calendar 642
Read the second time 722
Read the third time 768
Transmitted to the House 768
Signed by the President and transmitted to the Governor 870

S.B. 229 −− CIVIL SERVICE COMMISSIONS *(S. Jenkins)*
Read the first time by short title and referred to the Rules Committee. 278
Assigned to standing committee 349
Committee report adopted and placed on calendar 414
Read the second time 569
Read the third time 579
Transmitted to the House 579
Signed by the President and transmitted to the Governor 988

S.B. 230 −− PERSONAL PROPERTY AND PERSONAL INJURY CLAIM *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 368
Assigned to standing committee 379
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 997

S.B. 231 −− PRIVATIZATION OF WORKERS COMPENSATION FUND *(T. Hatch)*
Enacting Clause Stricken 998

S.B. 232 −− AMENDMENTS TO PETE SUAZO ATHLETE COMMISSION *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 383
Assigned to standing committee 394
Substituted 477
Amendments 477, 700
Committee report adopted and placed on calendar 478
Placed on calendar 641
Read the second time 700
Read the third time 733
Transmitted to the House 734
Signed by the President and transmitted to the Governor 885

S.B. 233 −− SALES AND USE TAX REVISIONS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 680
Assigned to standing committee 680
Amendments 729
Committee report adopted and placed on calendar 731

Read the second time . . . 778
Substituted . . . 778
Circled . . . 778
Uncircled . . . 790
Read the second and third time . . . 790
Transmitted to the House . . . 790
Placed on Concurrence Calendar . . . 965
Concurrence . . . 965
Returned to the House . . . 966
Signed by the President and transmitted to the Governor . . . 988

S.B. 234 −− SERVICING OF HEATING OR COOLING DUCT SYSTEMS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. . . . 521
Assigned to standing committee . . . 552
Committee report adopted and placed on calendar . . . 664
Read the second time . . . 724
Read the third time . . . 769
Transmitted to the House . . . 769
Signed by the President and transmitted to the Governor . . . 820

S.B. 235 −− INSTALLATION AND SERVICING OF FURNACES AND AIR CONDITIONING *(P. Hellewell)*
Enacting Clause Stricken . . . 998

S.B. 236 −− REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS AND GENERAL OBLIGATION BOND AUTHORIZATION AMENDMENTS *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. . . . 780
Placed on calendar . . . 786
Read the second and third time . . . 787
Transmitted to the House . . . 788
Signed by the President and transmitted to the Governor . . . 885

S.B. 237 −− TELECOMMUNICATIONS AMENDMENTS *(G. Davis)*
Enacting Clause Stricken . . . 998

S.B. 238 −− COMMUNITY AND ECONOMIC DEVELOPMENT AMENDMENTS *(G. Davis)*
Enacting Clause Stricken . . . 998

S.B. 239 −− AMENDMENTS TO GENERAL GOVERNMENT PROVISIONS *(G. Davis)*
Enacting Clause Stricken . . . 998

S.B. 240 −− TEMPORARY MEDICAID CERTIFICATION OF NURSING HOME BEDS *(G. Davis)*
Read the first time by short title and referred to the Rules Committee. . . . 780
Placed on calendar . . . 788
Read the second and third time . . . 789
Transmitted to the House . . . 790
Placed on Concurrence Calendar . . . 871
Concurrence . . . 892
Returned to the House . . . 892
Signed by the President and transmitted to the Governor . . . 909

S.B. 241 −− NATURAL RESOURCES DEVELOPMENT *(M. Dmitrich)*
Read the first time by short title and referred to the Rules Committee. . . . 636
Assigned to standing committee . . . 654
Substituted . . . 719
Committee report adopted and placed on calendar . . . 720
Read the second and third time . . . 783
Transmitted to the House . . . 783
Signed by the President and transmitted to the Governor . . . 930

S.B. 242 −− TAX REVISIONS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. . . . 415
Assigned to standing committee . . . 435
Committee report adopted and placed on calendar . . . 508
Placed on calendar . . . 768
Read the second time . . . 783
Circled . . . 783, 791
Uncircled . . . 790, 800
Substituted . . . 791
Read the second and third time . . . 801
Transmitted to the House . . . 801
Enacting Clause Stricken . . . 996

S.B. 243 −− GRAPE AGRICULTURE DEVELOPMENT ACT *(M. Dmitrich)*
Enacting Clause Stricken . . . 998

S.B. 244 −− BUSINESS RESOURCE CENTERS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. . . . 445
Assigned to standing committee . . . 455
Referred to Rules Committee for interim study . . . 767
Placed on calendar . . . 889
Read the second time . . . 889
Circled . . . 889
Uncircled . . . 900

Amendments 901
Read the second and third time 901
Transmitted to the House 901
Enacting Clause Stricken 996

S.B. 245 −− REDEVELOPMENT AGENCY AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 665
Assigned to standing committee 674
Amendments 731
Committee report adopted and placed on calendar 731
Read the second time 788
Amendments 788
Read the third time 797
Transmitted to the House 797
Signed by the President and transmitted to the Governor 940

S.B. 246 −− COUNTY DIRECTOR OF PERSONNEL MANAGEMENT AMENDMENTS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 383
Assigned to standing committee 394
Read the second time and placed on Consent Calendar 479
Read the third time 574
Transmitted to the House 574
Placed on the Concurrence Calendar 787
Concurrence 810
Returned to the House 810
Signed by the President and transmitted to the Governor 820

S.B. 247 −− HILL AIR FORCE BASE MUSEUM FUNDING *(A. Christensen)*
Read the first time by short title and referred to the Rules Committee. 537
Placed on calendar 591
Committee report adopted and placed on calendar 677
Read the second time 726
Read the third time 772
Transmitted to the House 773
Signed by the President and transmitted to the Governor 801
Enacting Clause Stricken 996

S.B. 248 −− RESORT TAX *(M. Waddoups)*
Enacting Clause Stricken 998

S.B. 249 −− COUNTY GOVERNMENT AMENDMENTS *(D. Peterson)*
Read the first time by short title and referred to the Rules Committee. 368
Assigned to standing committee 378
Committee report adopted and placed on calendar 478
Read the second time 699
Read the third time 732
Transmitted to the House 733
Signed by the President and transmitted to the Governor 909

S.B. 250 −− RECYCLING ZONE AMENDMENTS *(D. Eastman)*
Enacting Clause Stricken 998

S.B. 251 −− BANNING FOREIGN RADIOACTIVE WASTE STORAGE IN UTAH *(G. Bell)*
Enacting Clause Stricken 999

S.B. 252 −− CONSUMER CREDIT CODE AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 479
Assigned to standing committee 493
Committee report adopted and placed on calendar 590
Substituted 589
Placed on calendar 642
Read the second time 721
Amendments 721
Read the third time 736
Failed 736
Filed 736
Reconsideration 743
Circled 743
Uncircled 747
Transmitted to the House 748
Signed by the President and transmitted to the Governor 945

S.B. 253 −− CRIMINAL CODE AMENDMENTS *(M. Dmitrich)*
Enacting Clause Stricken 999

S.B. 254 −− CAMPAIGN FINANCE AND REPORTING AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 591
Placed on calendar 591
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 997

S.B. 255 −− DRUG AND ALCOHOL OVERDOSE − AMNESTY *(F. Fife)*
Enacting Clause Stricken 999

S.B. 256 −− TRANSIT SECURITY AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 369
Assigned to standing committee 379
Committee report adopted and placed on calendar 443
Read the second time 682
Amendments 682
Read the third time 696
Transmitted to the House 696
Signed by the President and transmitted to the Governor 988

S.B. 257 −− PUBLIC PRIVATE PARTNERSHIPS FOR SPORT FACILITY *(S. Killpack)*
Enacting Clause Stricken 999

S.B. 258 −− REVENUE BONDS − AUDITING OF LEASES *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 415
Assigned to standing committee 435
Committee report adopted and placed on calendar 508
Placed on calendar 726
Read the second time 778
Substituted 778
Circled 778
Uncircled 791
Read the third time 798
Amendments 798
Transmitted to the House 799
Enacting Clause Stricken 996

S.B. 259 −− ELECTRONIC VOTING − VOTE COUNT AUDIT COMMITTEE *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. 753
Enacting Clause Stricken 997

S.B. 260 −− CAPITOL PRESERVATION BOARD REVISIONS *(B. Evans)*
Read the first time by short title and referred to the Rules Committee. 607
Assigned to standing committee 653
Committee report adopted and placed on calendar 677
Read the second time 725
Read the third time 771
Transmitted to the House 772
Signed by the President and transmitted to the Governor 865

S.B. 261 −− COUNTY PERSONNEL MANAGEMENT ACT AMENDMENTS *(G. Davis)*
Enacting Clause Stricken 999

S.B. 262 −− STUDENT VEHICLE EMISSIONS *(M. Madsen)*
Enacting Clause Stricken 999

S.B. 263 −− AMENDMENTS TO GENERAL GOVERNMENT *(G. Davis)*
Enacting Clause Stricken 999

S.B. 264 −− DNA EXONERATION TESTING *(D. C. Buttars)*
Read the first time by short title and referred to the Rules Committee. 445
Assigned to standing committee 456
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 998

S.B. 265 −− RESORT TAX AMENDMENTS *(G. Davis)*
Enacting Clause Stricken 999

S.B. 266 −− REMOVAL OF CERTAIN CASES FROM COUNTY ATTORNEY TO ATTORNEY GENERAL *(M. Madsen)*
Enacting Clause Stricken 999

S.B. 267 −− CHANGES TO LOCAL GOVERNMENT PROVISIONS *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. 369
Assigned to standing committee 378
Substituted 589
Committee report adopted and placed on calendar 590
Placed on calendar 642
Read the second time 707
Amendments 707, 866, 886
Read the third time 736
Circled 736
Uncircled 743
Transmitted to the House 744
Placed on Concurrence Calendar 818
Refuse to Concur 828
Joint Conference Committee appointed 856
Transmitted to the House 887
Signed by the President and transmitted to the Governor 907

S.B. 268 −− PROPERTY RIGHTS OMBUDSMAN *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. 415
Assigned to standing committee 434

Substituted 589
Placed on calendar 642
Amendments 589, 710
Committee report adopted and placed on calendar 590
Read the second time 707
Circled 707, 736
Uncircled 710, 744
Read the third time 736
Transmitted to the House 744
Placed on Concurrence Calendar 821
Concurrence 828
Returned to the House 828
Signed by the President and transmitted to the Governor 833

S.B. 269 −− SECURITIES AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 479
Assigned to standing committee 493
Read the second time and placed on Consent Calendar 591
Read the third time 666
Transmitted to the House 666
Enacting Clause Stricken 996

S.B. 270 −− INDIVIDUAL INCOME TAX REVISIONS *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 509
Assigned to standing committee 521
Committee report adopted and placed on calendar 622
Placed on calendar 821
Read the second time 846
Circled 847
Enacting Clause Stricken 998

S.C.R. 1 −− RESOLUTION ENCOURAGING SCHOOL BOARDS TO ADOPT POLICY PROHIBITING BULLYING *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 311
Committee report adopted and placed on calendar 367
Read the second and third time 523
Transmitted to the House 524
Signed by the President and transmitted to the Governor 758

S.C.R. 2 −− RESOLUTION URGING DEVELOPMENT OF OFFSHORE ENERGY RESOURCES *(T. Hatch)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee . . . . . 275 , 348
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 998

S.C.R. 3 −− CONCURRENT RESOLUTION HONORING AMERICA'S MILITARY WAR DOGS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 311
Read the second time and placed on Consent Calendar 368
Read the third time 446
Transmitted to the House 446
Enacting Clause Stricken 996

S.C.R. 4 −− CONCURRENT RESOLUTION SUPPORTING GOSHUTE TRIBE *(D. Peterson)*
Read the first time by short title and referred to the Rules Committee. 445
Assigned to standing committee 456
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 998

S.C.R. 5 −− RESOLUTION OPPOSING TRANSPORT AND STORAGE OF SPENT NUCLEAR FUEL *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 866
Placed on calendar 866
Circled 867
Uncircled 894
Read the second and third time 894
Transmitted to the House 894
Enacting Clause Stricken 996

S.J.R. 1 −− RESOLUTION APPROVING REAPPOINTMENT OF DIRECTOR OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 95
Placed on calendar 106
Read the second and third time 110
Transmitted to the House 110
Signed by the President and transmitted to the Governor 434

S.J.R. 2 −− RESOLUTION ENLARGING REVENUES AND ASSETS IN STATE TRUST FUND *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 185
Committee report adopted and placed on calendar 231
Read the second time 319
Read the third time 344
Transmitted to the House 345
Enacting Clause Stricken 996

S.J.R. 3 −− INTERIM RULES RESOLUTION − QUORUM REQUIREMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 95
Placed on calendar 106
Read the second time 112
Read the third time 127
Transmitted to the House 127
Signed by the President and transmitted to the Governor 217

S.J.R. 4 −− INTERIM RULES RESOLUTION − COMMITTEE POWERS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 95
Placed on calendar 106
Read the second time 113
Read the third time 127
Transmitted to the House 128
Signed by the President and transmitted to the Governor 217

S.J.R. 5 −− JOINT RESOLUTION CONDEMNING USE OF TORTURE *(S. McCoy)*
Read the first time by short title and referred to the Rules Committee. 96
Assigned to standing committee 162
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 998

S.J.R. 6 −− RESOLUTION APPROVING COMPENSATION OF IN−SESSION EMPLOYEES *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 164
Assigned to standing committee 173
Placed on calendar 176
Read the second and third time 177
Transmitted to the House 178
Signed by the President and transmitted to the Governor 310

S.J.R. 7 −− JOINT RULES RESOLUTION AMENDING LEGISLATIVE EXPENSES *(G. Bell)*
Read the first time by short title and referred to the Rules Committee. 112
Assigned to standing committee 248
Committee report adopted and placed on calendar 368
Read the second time 560
Circled 560
Enacting Clause Stricken 998

S.J.R. 8 −− RESOLUTION SUBMITTING MINIMUM WAGE QUESTION TO THE VOTERS *(E. Mayne)*
Read the first time by short title and referred to the Rules Committee. 333
Assigned to standing committee 349
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 998

S.J.R. 9 −− RESOLUTION RECOGNIZING RIGHT TO PARTICIPATE IN RELIGIOUS EXPRESSIONS IN PUBLIC SCHOOLS *(P. Hellewell)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee 311
Amendments 364, 549
Committee report adopted and placed on calendar 367
Read the second time 524
Read the third time 549
Transmitted to the House 549
Placed on Concurrence Calendar 908
Concurrence 921
Returned to the House 921
Signed by the President and transmitted to the Governor 946

S.J.R. 10 −− MASTER STUDY RESOLUTION *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 919
Placed on calendar 923
Read the second time 923
Circled 923
Uncircled 948
Read the second and third time 948
Transmitted to the House 948
Enacting Clause Stricken 996

S.R. 1 −− SENATE RULES RESOLUTION − CONSENT CALENDAR AMENDMENTS *(M. Waddoups)*
Read the first time by short title and referred to the Rules Committee. 96
Placed on calendar 106
Read the second time 112
Circled 112
Uncircled 135
Read the third time 153
Referred to the staff for enrolling 154

S.R. 2 −− RESOLUTION ENCOURAGING UTAH SCHOOLS TO EDUCATE CHILDREN REGARDING RISKS OF SUN EXPOSURE *(P. Arent)*
Read the first time by short title and referred to the Rules Committee. 205
Assigned to standing committee 274
Committee report adopted and placed on calendar 314
Read the second time 408
Read the third time 428
Sent to the staff for enrolling 428

S.R. 3 −− RESOLUTION URGING PARTICIPATION BY TAIWAN IN WORLD HEALTH ORGANIZATION *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 190
Assigned to standing committee 199
Committee report adopted and placed on calendar 249
Read the second time 327
Circled 328
Placed on Time Certain Calendar 360
Read the second and third time 723
Signed by the President and sent to the staff for enrolling 723

PAGE
INDEX

HOUSE BILLS AND RESOLUTIONS

2006 GENERAL SESSION

FIFTY−SIXTH LEGISLATURE

January 16 through March 1, 2006

H.B. 1 −− CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT *(R. Bigelow)*
Read for the first time and referred to the Rules Committee 888
Placed on calendar 896
Read the second and third time 901
Signed by the President and returned to the House 902

H.B. 3 −− APPROPRIATION ADJUSTMENTS *(R. Bigelow)*
Read for the first time and referred to Rules 982
Placed on calendar 982
Read the second and third time 982
Amendments 982
Returned to the House 983
Signed by the President and returned to the House 989

H.B. 4 −− STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS *(R. Bigelow)*
Read for the first time and referred to the Rules Committee 729
Placed on calendar 736
Read the second time 737
Circled . . . . . 737 , 745
Uncircled . . . . . 745 , 746
Read the second and third time 747
Signed by the President and returned to the House 747
Read for the first time and referred to the Rules Committee 908
Placed on calendar 969
Read the second time 970
Circled 970
Uncircled 971
Read the second and third time 971
Signed by the President and returned to the House 971

H.B. 6 −− UTILITY IMPROVEMENT DISTRICTS REVISIONS *(D. Ure)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Committee report adopted and placed on calendar 572
Placed on calendar 653
Read the second time 813
Read the third time 839
Signed by the President and returned to the House 840

H.B. 8 −− MARRIAGE PREPARATION EDUCATION *(R. McGee)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 436
Committee report adopted and placed on calendar 572
Enacting Clause Stricken 991

H.B. 9 −− WORKERS' COMPENSATION STUDIES INCLUDING COVERAGE OF FIREFIGHTERS AND DRUG OFFICERS *(J. Murray)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 968
Read the second and third time 972
Signed by the President and returned to the House 973

H.B. 11 −− RETIREMENT OFFICE AMENDMENTS *(A. Hardy)*
Read for the first time and referred to the Rules Committee 120
Assigned to standing committee 162
Placed on calendar 740
Read the second time 825
Read the third time 841
Signed by the President and returned to the House 842

H.B. 12 −− AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT *(D. Aagard)*
Read for the first time and referred to the Rules Committee 527
Assigned to standing committee 552
Committee report adopted and placed on calendar 622
Placed on calendar 652
Read the second time 796
Circled 796, 812
Uncircled . . . . . 811 , 845
Amendments . . . . . 811 , 845
Read the second and third time 845
Returned to the House 846
Signed by the President and returned to the House 886

H.B. 13 −− COMMON POLLING PLACES AMENDMENTS *(D. Aagard)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 311
Amendments 366
Committee report adopted and placed on calendar 368
Read the second time 461
Read the third time 490
Returned to the House 490
Signed by the President and returned to the House 519

H.B. 14 −− OPEN MEETINGS LAW AMENDMENTS *(W. Harper)*
Read for the first time and referred to the Rules Committee 160
Assigned to standing committee 199
Substituted 294
Committee report adopted and placed on calendar 295
Read the second time 430
Circled 430
Uncircled 450
Amendments 450
Read the third time 482
Amendments 482
Returned to the House 484
Signed by the President and returned to the House 519

H.B. 15 −− EARLY VOTING *(D. Aagard)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 461
Read the third time 491
Circled 491, 586
Uncircled . . . . . 553 , 791
Amendments . . . . . 553 , 791
Failed 557
Returned to the House 557
Recalled 584
Placed on calendar 586
Returned to the House 793
Signed by the President and returned to the House 819

H.B. 16 −− REVISIONS TO OPEN AND PUBLIC MEETINGS LAW *(G. Donnelson)*
Read for the first time and referred to the Rules Committee 149
Assigned to standing committee 172
Amendments 294
Committee report adopted and placed on calendar 295
Read the second time 430
Read the third time 447
Returned to the House 447
Refuse to Recede 503
Substituted 536
Joint Conference Committee Report 536
Returned to the House 536
Substituted 588
Returned to the House 588
Signed by the President and returned to the House 652

H.B. 17 −− UNINSURED MOTORIST IDENTIFICATION DATABASE PROGRAM AMENDMENTS *(J. Murray)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 186
Committee report adopted and placed on calendar 264
Read the second time 307
Read the third time 341
Signed by the President and returned to the House 341

H.B. 18 −− UNEMPLOYMENT COMPENSATION − SOCIAL SECURITY OFFSET *(D. Cox)*
Read for the first time and referred to the Rules Committee 135
Assigned to standing committee 172
Committee report adopted and placed on calendar 314
Read the second time 457
Read the third time 486
Signed by the President and returned to the House 487

H.B. 19 −− IDENTIFICATION CARD AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 186
Committee report adopted and placed on calendar 264
Read the second time 307
Read the third time 341
Signed by the President and returned to the House 342

H.B. 20 −− COMMERCIAL DRIVER TRAINING SCHOOL ACT AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 111
Assigned to standing committee 162
Committee report adopted and placed on calendar 231
Read the second time 305
Read the third time 337
Signed by the President and returned to the House 337

H.B. 21 −− CHILD WELFARE REVISIONS *(W. Harper)*
Read for the first time and referred to the Rules Committee 121
Assigned to standing committee 161
Committee report adopted and placed on calendar 231
Read the second time 303
Read the third time 336

Circled 336
Uncircled 337
Signed by the President and returned to the House 338

H.B. 22 −− UTAH CHILD ABUSE PREVENTION BOARD *(P. Ray)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 552
Committee report adopted and placed on calendar . . . . . 607 , 664
Placed on calendar 740
Read the second time 825
Tabled on Third Reading Calendar 825
Enacting Clause Stricken 991

H.B. 23 −− OFFICE OF CHILD WELFARE PARENTAL DEFENSE AMENDMENTS *(W. Harper)*
Read for the first time and referred to the Rules Committee 135
Assigned to standing committee 185
Committee report adopted and placed on calendar 231
Read the second time 303
Read the third time 337
Circled 337
Uncircled 338
Signed by the President and returned to the House 338

H.B. 24 −− MEDICAID DENTAL AND PHYSICIAN REIMBURSEMENT AMENDMENTS *(S. Mascaro)*
Read for the first time and referred to the Rules Committee 753
Enacting Clause Stricken 991

H.B. 25 −− CHILD WELFARE − LICENSING AND MANAGEMENT INFORMATION SYSTEMS *(W. Harper)*
Read for the first time and referred to the Rules Committee 139
Assigned to standing committee 172
Amendments 218
Committee report adopted and placed on calendar 231
Read the second time 304
Circled 304
Uncircled 430
Read the third time 447
Returned to the House 447
Signed by the President and returned to the House 492

H.B. 26 −− FILING LIENS *(S. Clark)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 185
Read the second time and placed on Consent Calendar 315
Read the third time 369
Signed by the President and returned to the House 369

H.B. 27 −− DIVORCE EDUCATION AMENDMENTS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 445
Read the third time 537
Signed by the President and returned to the House 538

H.B. 28 −− ACCESS AND FEE AMENDMENTS TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT *(D. Aagard)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 520
Amendments 621
Committee report adopted and placed on calendar 622
Placed on calendar 834
Read the second and third time 873
Returned to the House 874
Signed by the President and returned to the House 941

H.B. 29 −− TOWNSHIP AMENDMENTS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 120
Assigned to standing committee 161
Committee report adopted and placed on calendar 204
Read the second time 302
Read the third time 336
Signed by the President and returned to the House 336

H.B. 30 −− EMANCIPATION OF A MINOR *(R. McGee)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 379
Amendments 507
Committee report adopted and placed on calendar 508
Read the second time 602
Read the third time 629
Amendments 630
Returned to the House 630
Signed by the President and returned to the House 675

H.B. 31 −− PILOT PROGRAM FOR THE PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES *(R. Menlove)*
Read for the first time and referred to the Rules Committee 217

Assigned to standing committee 275
Committee report adopted and placed on calendar 314
Read the second time 457
Circled 458, 897
Uncircled 458, 898
Tabled on Third Reading Calendar 459
Read the third time 896
Signed by the President and returned to the House 899

H.B. 32 −− LIFE INSURANCE AND ANNUITY LAW AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 274
Committee report adopted and placed on calendar 367
Read the second time 459
Read the third time 488
Signed by the President and returned to the House 489

H.B. 33 −− INSURANCE RELATED INVESTMENT AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 111
Assigned to standing committee 161
Committee report adopted and placed on calendar 189
Read the second time 207
Circled 207
Uncircled 208
Read the third time 239
Signed by the President and returned to the House 239

H.B. 34 −− INSURANCE REPORTS, TABLES, AND EXAMINATION AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 274
Committee report adopted and placed on calendar 367
Read the second time 460
Read the third time 489
Signed by the President and returned to the House 489

H.B. 35 −− STATE HIGHWAYS AMENDMENTS *(J. Murray)*
Read for the first time and referred to the Rules Committee 160
Assigned to standing committee 173
Committee report adopted and placed on calendar 231
Read the second time 305
Read the third time 339
Signed by the President and returned to the House 339

H.B. 36 −− NOTICE REQUIREMENTS FOR BUDGET TRANSFERS FROM UTILITY FUNDS *(A. Tilton)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 275
Committee report adopted and placed on calendar 295
Read the second time 449
Read the third time 481
Signed by the President and returned to the House 481

H.B. 37 −− PUBLIC ASSISTANCE AMENDMENTS *(S. Allen)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 312
Read the second time and placed on Consent Calendar 445
Read the third time 538
Signed by the President and returned to the House 538

H.B. 38 −− WATER REUSE REQUIREMENTS *(B. Ferry)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 350
Committee report adopted and placed on calendar 382
Read the second time 463
Read the third time 494
Purpose Statement 495
Signed by the President and returned to the House 495

H.B. 39 −− UTAH INTERNATIONAL TRADE COMMISSION *(S. Allen)*
Read for the first time and referred to the Rules Committee 378
Assigned to standing committee 394
Committee report adopted and placed on calendar 478
Read the second time 597
Read the third time 627
Circled 627
Uncircled 853
Amendments 853
Returned to the House 854
Signed by the President and returned to the House 886

H.B. 40 −− EXPENDITURES FOR TOURISM, RECREATION, CULTURAL, AND
CONVENTION FACILITIES AND ACTIVITIES *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 378
Assigned to standing committee 394
Committee report adopted and placed on calendar 478

Read the second time 597
Amendments 597
Read the third time 627
Returned to the House 627
Signed by the President and returned to the House 675

H.B. 41 −− PRESERVATION OF AND ACCESS TO STATE PUBLICATIONS *(M. Noel)*
Read for the first time and referred to the Rules Committee 254
Assigned to standing committee 349
Committee report adopted and placed on calendar 414
Read the second time 581
Read the third time 610
Signed by the President and returned to the House 610

H.B. 42 −− RENEWABLE ENERGY TAX CREDIT *(S. Allen)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 553
Committee report adopted and placed on calendar 622
Enacting Clause Stricken 991

H.B. 43 −− SUNSET REVIEW AND REAUTHORIZATIONS *(J. Alexander)*
Read for the first time and referred to the Rules Committee 121
Assigned to standing committee 161
Committee report adopted and placed on calendar 204
Read the second time 302
Circled 303
Uncircled 326
Amendments 326
Read the third time 355
Returned to the House 356
Signed by the President and returned to the House 392

H.B. 44 −− LOCAL GOVERNMENT AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 185
Substituted 294
Amendments 295
Committee report adopted and placed on calendar 295
Read the second time 452
Read the third time 485
Returned to the House 485
Signed by the President and returned to the House 519

H.B. 45 −− BEAR RIVER DEVELOPMENT ACT *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 287
Assigned to standing committee 379
Committee report adopted and placed on calendar 443
Read the second time 583
Read the third time 612
Intent language 613
Signed by the President and returned to the House 613

H.B. 46 −− ENERGY POLICY AMENDMENTS *(R. Barrus)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 350
Committee report adopted and placed on calendar 382
Read the second time 464
Circled 464, 601
Uncircled 601, 631
Substituted 601
Read the third time 643
Amendments 643
Returned to the House 645
Signed by the President and returned to the House 675

H.B. 47 −− SALES TAX DIVERSION FOR WATER PROJECTS AND WATER FINANCING *(D. Ure)*
Read for the first time and referred to the Rules Committee 293
Assigned to standing committee 654
Committee report adopted and placed on calendar 720
Placed on calendar 821
Read the second and third time 847
Amendments 847
Returned to the House 849
Signed by the President and returned to the House 886

H.B. 48 −− WATER COMPANY AMENDMENTS *(D. Ure)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 435
Amendments 508
Read the second time and placed on the Consent Calendar 509
Read the third time 608
Returned to the House 608
Signed by the President and returned to the House 652

H.B. 49 −− DEPARTMENT OF TECHNOLOGY SERVICES PERSONNEL TRANSFER − SUPPLEMENTAL APPROPRIATION *(D. Clark)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 313
Committee report adopted and placed on calendar 382
Read the second time 464
Read the third time 496
Signed by the President and returned to the House 496

H.B. 50 −− UTAH TECHNOLOGY INDUSTRY COUNCIL REVISIONS *(D. Litvack)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 313
Committee report adopted and placed on calendar 382
Read the second time 464
Read the third time 496
Signed by the President and returned to the House 497

H.B. 51 −− SALES AND USE TAXATION OF AMUSEMENT DEVICES AND CLEANING OR WASHING OF TANGIBLE PERSONAL PROPERTY *(W. Harper)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 186
Committee report adopted and placed on calendar 231
Read the second time 304
Tabled on Third Reading Calendar 307
Lifted from Third Reading Table 375
Read the third time 375
Signed by the President and returned to the House 376

H.B. 52 −− SALES AND USE TAX EXEMPTION FOR TRANSPORTATION *(W. Harper)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 248
Committee report adopted and placed on calendar 295
Read the second time 457
Read the third time 486
Signed by the President and returned to the House 486

H.B. 53 −− CORPORATE FRANCHISE AND INCOME TAXES − APPORTIONMENT OF BUSINESS INCOME TO UTAH AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP *(W. Harper)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 553
Committee report adopted and placed on calendar 622
Placed on calendar 740
Read the second time 826
Circled 826
Uncircled 826
Tabled on Third Reading Calendar 827
Enacting Clause Stricken 991

H.B. 54 −− SALES AND USE TAX EXEMPTION FOR SALES OF CERTAIN AGRICULTURAL PRODUCTS *(G. Snow)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 462
Read the third time 491
Signed by the President and returned to the House 492

H.B. 55 −− PROPERTY TAX − CIRCUIT BREAKER QUALIFYING LIMITS *(W. Harper)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 463
Tabled on Third Reading Calendar 463
Read the third time 812, 897
Substituted 812, 897
Tabled on Third Reading Calendar 812
Returned to the House 897
Signed by the President and returned to the House 941

H.B. 56 −− SEX OFFENDER REGISTRATION AMENDMENTS *(M. S. Lawrence)*
Read for the first time and referred to the Rules Committee 256
Assigned to standing committee 312
Committee report adopted and placed on calendar 382
Read the second time 465
Read the third time 497
Signed by the President and returned to the House 497

H.B. 57 −− COUNTY OFFICERS AMENDMENTS *(R. Menlove)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 362
Placed on calendar 373
Read the second time 373
Circled 374
Uncircled 375

Read the second and third time 375
Signed by the President and returned to the House 375

H.B. 58 −− ADDITIONAL STATE RETIREMENT BENEFIT *(L. Shurtliff)*
Read for the first time and referred to the Rules Committee 753
Enacting Clause Stricken 991

H.B. 60 −− CONTROLLED SUBSTANCE AMENDMENTS *(C. Oda)*
Read for the first time and referred to the Rules Committee 256
Assigned to standing committee 349
Committee report adopted and placed on calendar 382
Read the second time 465
Read the third time 497
Signed by the President and returned to the House 498

H.B. 61 −− CRIMINAL PENALTY FOR ANIMAL CRUELTY *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 654
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 991

H.B. 63 −− PROBATE CODE AMENDMENTS REGARDING HOMICIDE *(K. Morgan)*
Read for the first time and referred to the Rules Committee 184
Assigned to standing committee 312
Committee report adopted and placed on calendar 382
Read the second time 466
Amendment 466
Read the third time 498
Returned to the House 498
Signed by the President and returned to the House 551

H.B. 65 −− CONSUMER PROTECTION AGENCY *(M. S. Lawrence)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 520
Committee report adopted and placed on calendar 590
Placed on calendar 653
Read the second time 822
Tabled on Third Reading Calendar 822
Read the third time 899
Signed by the President and returned to the House 900

H.B. 66 −− TUITION WAIVERS FOR HIGHER EDUCATION *(C. Buttars)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 311
Committee report adopted and placed on calendar 368
Read the second time 460
Read the third time 490
Circled 490
Uncircled 490
Signed by the President and returned to the House 491

H.B. 67 −− MILITARY AND OVERSEAS CITIZENS ABSENTEE VOTER AMENDMENTS *(S. Urquhart)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 312
Committee report adopted and placed on calendar 368
Read the second time 462
Read the third time 491
Signed by the President and returned to the House 491

H.B. 68 −− SCHOOL FEE WAIVER AMENDMENTS *(L. Shurtliff)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 520
Committee report adopted and placed on calendar 572
Placed on calendar 653
Read the second time 813
Tabled on Third Reading Calendar 814
Enacting Clause Stricken 991

H.B. 70 −− STATUTE OF LIMITATIONS ON BODILY INJURY *(C. Oda)*
Read for the first time and referred to the Rules Committee 256
Assigned to standing committee 349
Committee report adopted and placed on calendar 382
Read the second time 467
Read the third time 498
Signed by the President and returned to the House 499

H.B. 71 −− ECONOMIC DEVELOPMENT − SUNSET MODIFICATIONS *(P. Wallace)*
Read for the first time and referred to the Rules Committee 149
Assigned to standing committee 173
Committee report adopted and placed on calendar 264
Read the second time 306
Read the third time 340
Signed by the President and returned to the House 341

H.B. 72 −− WORKERS' COMPENSATION FOR THE STATE *(G. Snow)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 493
Amendments 662, 895
Committee report adopted and placed on calendar 664
Placed on calendar 822
Read the second time 864
Read the third time 895
Returned to the House 895
Signed by the President and returned to the House 941

H.B. 73 −− K. GUNN MCKAY HIGHWAY DESIGNATION *(N. Hansen)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 379
Read the second time and placed on Consent Calendar 445
Read the third time 539
Signed by the President and returned to the House 540

H.B. 74 −− ATHLETIC TRAINER LICENSING ACT *(P. Ray)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 434
Committee report adopted and placed on calendar 534
Placed on calendar 652
Read the second time 800
Read the third time 810
Signed by the President and returned to the House 811

H.B. 75 −− UNCLAIMED PROPERTY ACT REVISIONS *(F. Hunsaker)*
Read for the first time and referred to the Rules Committee 753
Enacting Clause Stricken 991

H.B. 76 −− HIGH DEDUCTIBLE HEALTH PLAN OPTION FOR PUBLIC EMPLOYEES *(B. Daw)*
Read the first time and referred to rules 530
Assigned to standing committee . . . . . 530 , 552
Committee report adopted and placed on calendar 622
Placed on calendar 739
Read the second time 823
Failed 823
Filed 823
Recalled 851
Reconsideration 858
Before the Senate 858
Read the third time 893
Signed by the President and returned to the House 893

H.B. 77 −− SCHOOL DISTRICT BOUNDARIES *(D. Cox)*
Read for the first time and referred to the Rules Committee 662
Assigned to standing committee 749
Placed on calendar 835
Read the second time 959
Substituted 959
Read the second and third time 959
Returned to the House 959
Signed by the President and returned to the House 989

H.B. 78 −− INVESTMENT OF LAND GRANT TRUST FUNDS *(D. Clark)*
Read for the first time and referred to the Rules Committee 217
Assigned to standing committee 275
Committee report adopted and placed on calendar 295
Read the second time 456
Read the third time 485
Signed by the President and returned to the House 486

H.B. 79 −− PRESCRIPTION DRUG PURCHASING POOLS *(B. Last)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 362
Substituted 439
Committee report adopted and placed on calendar 443
Read the second time 582
Amendments 582
Circled 583
Enacting Clause Stricken 991

H.B. 80 −− ENERGY SAVINGS IN STATE BUILDINGS *(F. Hunsaker)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 455
Committee report adopted and placed on calendar 572
Placed on calendar 821
Read the second time 849
Circled 849
Uncircled 852
Read the second and third time 852
Signed by the President and returned to the House 852

H.B. 81 −− TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE *(R. Menlove)*
Read for the first time and referred to the Rules Committee . . . 287
Assigned to standing committee . . . 362
Committee report adopted and placed on calendar . . . 443
Read the second time . . . 583
Read the third time . . . 612
Circled . . . 612
Uncircled . . . 614
Signed by the President and returned to the House . . . 614

H.B. 82 −− EDUCATION INFORMATION TECHNOLOGY SYSTEMS *(K. Holdaway)*
Read for the first time and referred to the Rules Committee . . . 199
Assigned to standing committee . . . 274
Committee report adopted and placed on calendar . . . 314
Read the second time . . . 458
Read the third time . . . 487
Signed by the President and returned to the House . . . 488

H.B. 83 −− DRIVER LICENSE PRIVILEGE SUSPENSION FOR FAILURE TO PAY CHILD SUPPORT *(Julie Fisher)*
Read for the first time and referred to the Rules Committee . . . 217
Assigned to standing committee . . . 394
Committee report adopted and placed on calendar . . . 534
Placed on calendar . . . 653
Read the second time . . . 819
Amendments . . . 819
Circled . . . 820
Uncircled . . . 864
Before the Senate . . . 864
Failed . . . 864
Filed . . . 865
Reconsideration motion failed . . . 875

H.B. 85 −− ABORTION BY A MINOR − PARENTAL NOTIFICATION AND CONSENT *(K. Gibson)*
Read for the first time and referred to the Rules Committee . . . 256
Assigned to standing committee . . . 349
Committee report adopted and placed on calendar . . . 508
Placed on calendar . . . 653
Read the second time . . . 815
Amendments . . . 815, 903
Tabled on Third Reading Calendar . . . 817
Read the third time . . . 899
Circled . . . 899
Uncircled . . . 903
Returned to the House . . . 906
Signed by the President and returned to the House . . . 942

H.B. 86 −− PROPERTY TAX − REFUNDING TAX PREPAYMENTS *(F. Hunsaker)*
Read for the first time and referred to the Rules Committee . . . 348
Assigned to standing committee . . . 363
Amendments . . . 414
Committee report adopted and placed on calendar . . . 414
Read the second time . . . 582
Read the third time . . . 612
Returned to the House . . . 612
Signed by the President and returned to the House . . . 652

H.B. 87 −− USE OF DISASTER LOAN FUNDS *(D. Clark)*
Read for the first time and referred to the Rules Committee . . . 332
Assigned to standing committee . . . 362
Committee report adopted and placed on calendar . . . 478
Amendments . . . 595
Read the second time . . . 595
Read the third time . . . 624
Returned to the House . . . 624
Signed by the President and returned to the House . . . 652

H.B. 89 −− ADOPTION AND VITAL STATISTICS AMENDMENTS *(K. Holdaway)*
Read for the first time and referred to the Rules Committee . . . 393
Assigned to standing committee . . . 435
Referred to Rules Committee for interim study . . . 767
Enacting Clause Stricken . . . 991

H.B. 90 −− CRIMINAL PENALTY AMENDMENTS *(D. Litvack)*
Read for the first time and referred to the Rules Committee . . . 780
Placed on calendar . . . 888
Read the second and third time . . . 943
Signed by the President and returned to the House . . . 944

H.B. 93 −− CLEAN FUEL VEHICLE FUND AMENDMENTS *(J. Gowans)*
Read for the first time and referred to the Rules Committee . . . 636
Assigned to standing committee . . . 678
Returned to the Rules Committee . . . 742
Placed on calendar . . . 821
Read the second and third time . . . 849
Signed by the President and returned to the House . . . 850

H.B. 94 −− BAN ON GIFTS TO ELECTED OFFICIALS *(P. Jones)*
Read for the first time and referred to the Rules Committee 552
Assigned to standing committee 654
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 991

H.B. 95 −− INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS *(M. Noel)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 654
Committee report adopted and placed on calendar 677
Placed on calendar 935
Read the second and third time 962
Amendments 962
Returned to the House 964
Signed by the President and returned to the House 989

H.B. 97 −− COMMUNITY IMPACT AMENDMENTS *(G. Snow)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 494
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 991

H.B. 100 −− ENVIRONMENTAL LITIGATION BOND *(A. Tilton)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 654
Committee report adopted and placed on calendar 720
Placed on calendar 889
Read the second and third time 970
Signed by the President and returned to the House 970

H.B. 101 −− LOBBYIST GIFT LIMITS AND DISCLOSURE *(J. Alexander)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 248
Substituted 622
Amendments 622
Committee report adopted and placed on calendar 622
Enacting Clause Stricken 991

H.B. 102 −− SENTENCING FOR FIRST DEGREE FELONY MURDER *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 826
Circled 826
Uncircled 831
Read the third time 844
Signed by the President and returned to the House 844

H.B. 103 −− CHANGES TO DEFINITIONS OF A CHILD AND A MINOR *(W. Harper)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 455
Read the second time and placed on Consent Calendar 591
Read the third time 666
Signed by the President and returned to the House 667

H.B. 105 −− MEDICAID GENERIC DRUG REIMBURSEMENT AMENDMENTS *(M. Walker)*
Read for the first time and referred to the Rules Committee 310
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 445
Read the third time 538
Signed by the President and returned to the House 539

H.B. 107 −− FULL−DAY KINDERGARTEN *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 749
Enacting Clause Stricken 991

H.B. 109 −− SALES AND USE TAX − FOOD AND FOOD INGREDIENTS AND LOCAL TAXES *(M. Newbold)*
Read for the first time and referred to the Rules Committee 247
Assigned to standing committee 312
Referred to Rules Committee for interim study 767
Placed on calendar 834
Read the second time 871
Circled 871, 918
Uncircled 918, 944
Substituted 918
Read the second and third time 944
Returned to the House 944
Signed by the President and returned to the House 955
Recalled 982

H.B. 110 −− AIRPORT SECURITY AMENDMENTS *(G. Hughes)*
Read for the first time and referred to the Rules Committee 520

Assigned to standing committee 552
Committee report adopted and placed on calendar 664
Placed on calendar 935
Read the second and third time 958
Signed by the President and returned to the House 959

H.B. 111 −− CHILD RESTRAINT DEVICE AMENDMENTS *(T. Cosgrove)*
Read for the first time and referred to the Rules Committee 780
Enacting Clause Stricken 991

H.B. 112 −− TRANSPORTATION INVESTMENT ACT *(R. Lockhart)*
Read the first time and referred to the Rules Committee 552
Placed on calendar 553
Read the second time 579
Amendments 579
Read the second and third time 580
Returned to the House 580
Signed by the President and returned to the House 619

H.B. 114 −− MINIMUM ENFORCEMENT OF FOOD SANITATION RULES *(S. Clark)*
Read for the first time and referred to the Rules Committee 659
Assigned to standing committee 679
Referred to Rules Committee for interim study 767
Placed on calendar 896
Read the second time 902
Circled 902
Uncircled 906
Signed by the President and returned to the House 906

H.B. 115 −− SALARY OF THE LIEUTENANT GOVERNOR *(L. Christensen)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 749
Placed on calendar 896
Read the second time 902
Circled 902
Uncircled 909
Read the second and third time 909
Signed by the President and returned to the House 909

H.B. 117 −− GRAMA RECORDS COMMITTEE APPEAL *(C. Moss)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 653
Committee report adopted and placed on calendar 677
Placed on calendar 834
Read the second and third time 930
Signed by the President and returned to the House 930

H.B. 118 −− UTAH HEALTH CARE WORKFORCE FINANCIAL ASSISTANCE ACT AMENDMENTS *(J. Biskupski)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 749
Enacting Clause Stricken 991

H.B. 119 −− BOARD OF REGENTS AMENDMENTS *(J. Alexander)*
Read for the first time and referred to the Rules Committee 378
Assigned to standing committee 434
Committee report adopted and placed on calendar 478
Read the second time 594
Failed 594
Returned to the House 594
Reconsideration 609
Placed on calendar 609
Before the Senate 609
Read the third time 642
Signed by the President and returned to the House 642

H.B. 122 −− UTAH SMALL BUSINESS HEALTH PLAN *(S. Mascaro)*
Read for the first time and referred to the Rules Committee 774
Enacting Clause Stricken 991

H.B. 123 −− DISASTER RESPONSE AND RECOVERY ACT *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 435
Committee report adopted and placed on calendar 572
Placed on calendar 888
Read the second and third time 977
Signed by the President and returned to the House 977

H.B. 124 −− PARENT−TIME AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 715
Assigned to standing committee 749
Placed on calendar 896
Read the second and third time 902
Signed by the President and returned to the House 903

H.B. 125 −− STATE LONG−TERM CARE FOR INMATES *(J. Biskupski)*

Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 493
Placed on calendar 653
Committee report adopted and placed on calendar 534
Read the second time 823
Read the third time 840
Signed by the President and returned to the House 841

H.B. 127 −− LIMITED LIABILITY COMPANY AMENDMENTS *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 432
Assigned to standing committee 455
Committee report adopted and placed on calendar 534
Placed on calendar 653
Read the second time 813
Read the third time 838
Amendments 838
Returned to the House 839
Signed by the President and returned to the House 886

H.B. 129 −− PUBLIC HEALTH AMENDMENTS *(B. Last)*
Read for the first time and referred to the Rules Committee 662
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 834
Read the second time 933
Circled 934
Uncircled 934
Read the second and third time 934
Signed by the President and returned to the House 935

H.B. 130 −− ADOPTION AMENDMENTS *(A. Hardy)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 654
Committee report adopted and placed on calendar 720
Placed on calendar 834
Read the second and third time 936
Amendments 936
Returned to the House 939
Signed by the President and returned to the House 955

H.B. 131 −− ECONOMIC DEVELOPMENT INCENTIVES *(B. Dee)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 521
Read the second time and placed on Consent Calendar 623
Read the third time 692
Signed by the President and returned to the House 692

H.B. 132 −− LOCAL LAND USE REQUIREMENTS *(M. Morley)*
Read for the first time and referred to the Rules Committee 550
Assigned to standing committee 653
Committee report adopted and placed on calendar 677
Placed on calendar 834
Read the second time 871
Circled 871
Uncircled 874
Amendments 874
Read the second and third time 874
Returned to the House 875
Signed by the President and returned to the House 941

H.B. 133 −− COMMERCIAL TRANSACTIONS OF PERSONAL PROPERTY *(R. Lockhart)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 834
Read the second and third time 939
Amendments 939
Returned to the House 940
Signed by the President and returned to the House 989

H.B. 137 −− MEDICATION AIDE CERTIFIED *(R. Lockhart)*
Read for the first time and referred to the Rules Committee 715
Assigned to standing committee 749
Placed on calendar 834
Read the second and third time 931
Signed by the President and returned to the House 932

H.B. 138 −− MERCURY SWITCH REMOVAL ACT *(R. Menlove)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 821
Read the second and third time 850
Amendments 850
Signed by the President and returned to the House 850

H.B. 139 −− STATE ANTIQUITIES AND HISTORIC SITES AMENDMENTS *(B. Johnson)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Placed on calendar 834
Read the second and third time 949
Signed by the President and returned to the House 950

H.B. 140 −− AMENDMENTS TO COMMERCIAL DRIVER LICENSE PROVISIONS *(J. Alexander)*
Read for the first time and referred to the Rules Committee 675
Assigned to standing committee 750
Placed on calendar 888
Read the second and third time 977
Signed by the President and returned to the House 978

H.B. 141 −− MOTOR VEHICLE REGISTRATION CHECKOFF FOR PROTECTING ACCESS TO PUBLIC LANDS AND OFF−HIGHWAY VEHICLE EDUCATION *(M. Noel)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 749
Enacting Clause Stricken 990

H.B. 142 −− CENTER FOR MULTICULTURAL HEALTH − DUTIES *(R. Romero)*
Read for the first time and referred to the Rules Committee 606
Assigned to standing committee 654
Committee report adopted and placed on calendar 720
Placed on calendar 821
Read the second time 850
Circled 851
Uncircled 855
Tabled on Third Reading Calendar 855
Read the third time 897
Amendments 897
Returned to the House 898
Signed by the President and returned to the House 942

H.B. 144 −− BENEFITS FOR NATIONAL GUARD MEMBERS AND FAMILIES *(G. Hughes)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 750
Enacting Clause Stricken 992

H.B. 145 −− RANGELAND IMPROVEMENT ACT *(B. Johnson)*
Read for the first time and referred to the Rules Committee 715
Assigned to standing committee 749
Placed on calendar 888
Read the second and third time 978
Signed by the President and returned to the House 978

H.B. 146 −− PUBLIC SAFETY RETIREMENT FOR DISPATCHERS *(D. Bowman)*
Read for the first time and referred to the Rules Committee 787
Enacting Clause Stricken 992

H.B. 148 −− PARENT AND CHILD AMENDMENTS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 676
Assigned to standing committee 750
Placed on calendar 888
Read the second and third time 953
Amendments 953
Returned to the House 954
Signed by the President and returned to the House 989

H.B. 150 −− WORKERS' COMPENSATION REVISIONS *(M. Morley)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 750
Placed on calendar 888
Read the second and third time 971
Signed by the President and returned to the House 972

H.B. 151 −− ADJUSTMENTS IN FUNDING FOR CONCURRENT ENROLLMENT *(M. Dayton)*
Read for the first time and referred to the Rules Committee 662
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 834
Read the second time 935
Circled 935
Uncircled 950
Read the second and third time 950
Signed by the President and returned to the House 951

H.B. 152 −− NAVAJO TRUST FUND AMENDMENTS *(B. King)*
Read for the first time and referred to the Rules Committee 378
Assigned to standing committee 394
Committee report adopted and placed on calendar 478
Read the second time 596
Read the third time 624
Signed by the President and returned to the House 625

H.B. 155 −− EDUCATION TESTING AND GRADUATION AMENDMENTS *(N. Hansen)*
Read for the first time and referred to the Rules Committee 802
Enacting Clause Stricken 992

H.B. 156 −− HEALTH INSURANCE ACCESSIBILITY *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Amendments 741
Returned to the Rules Committee 742
Placed on calendar 821
Read the second and third time 851
Amendments 851
Returned to the House 852
Signed by the President and returned to the House 886

H.B. 158 −− SEX OFFENDER AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 834
Read the second time 871
Circled 872
Uncircled 876
Read the second and third time 876
Signed by the President and returned to the House 876

H.B. 160 −− CONSTRUCTION STANDARD AMENDMENTS *(M. Morley)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Amendments 742
Read the second time and placed on Consent Calendar 743
Read the third time 808
Returned to the House 809
Refuse to Recede 856
Amendments 867
Returned to the House 870
Signed by the President and returned to the House 907

H.B. 161 −− SEXUAL OFFENSES AGAINST CHILDREN − SENTENCING AMENDMENTS *(P. Ray)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 750
Placed on calendar 834
Read the second and third time 872
Signed by the President and returned to the House 873

H.B. 167 −− SCHOOL UNIFORMS *(C. Frank)*
Read for the first time and referred to the Rules Committee 676
Assigned to standing committee 749
Placed on calendar 834
Read the second time 936
Circled 936
Uncircled 949
Read the second and third time 949
Signed by the President and returned to the House 949

H.B. 169 −− DRIVER LICENSE RECORDS ACCESS AMENDMENTS *(D. Aagard)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 655
Committee report adopted and placed on calendar 720
Placed on calendar 821
Read the second and third time 851
Signed by the President and returned to the House 851

H.B. 170 −− PROSECUTION AND PREVENTION OF CHILD PORNOGRAPHY OFFENSES AMENDMENTS *(R. Bigelow)*
Read for the first time and referred to the Rules Committee 729
Assigned to standing committee 750
Placed on calendar 896
Read the second time 909
Substituted 909
Read the second and third time 910
Returned to the House 910
Refuse to recede 943
Substituted 955
Signed by the President and returned to the House 956, 976

H.B. 172 −− LOCAL LAND USE PROVISIONS RELATING TO SCHOOLS *(J. Ferrin)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 888
Read the second and third time 978
Signed by the President and returned to the House 979

H.B. 174 −− GUARDIAN AD LITEM AMENDMENTS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar . . . . . 889 , 941
Enacting Clause Stricken 992

H.B. 176 −− SCHOOL DISTRICT ENROLLMENT DIVERSITY *(D. Bourdeaux)*
Read for the first time and referred to the Rules Committee 808
Enacting Clause Stricken 992

H.B. 181 −− EDUCATION REFORM *(S. Urquhart)*
Read for the first time and referred to the Rules Committee 780
Placed on calendar 896
Read the second time 910
Amendments 910
Read the second and third time 911
Returned to the House 911
Signed by the President and returned to the House 942

H.B. 186 −− SUICIDE PREVENTION PLAN *(D. Hogue)*
Read for the first time and referred to the Rules Committee 818
Enacting Clause Stricken 992

H.B. 188 −− GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS *(C. Frank)*
Read for the first time and referred to the Rules Committee 586
Assigned to standing committee 653
Read the second time and placed on Consent Calendar 678
Placed on Second Reading Calendar 748
Read the second time 748
Substituted 748
Circled 748
Uncircled 796
Read the second and third time 796
Returned to the House 796
Signed by the President and returned to the House 941

H.B. 192 −− INSTRUCTIONAL MATERIALS FOR DISABLED STUDENTS *(D. G. Buxton)*
Read for the first time and referred to the Rules Committee 676
Assigned to standing committee 749
Placed on calendar 835
Read the second and third time 961
Signed by the President and returned to the House 962

H.B. 193 −− SALES AND USE TAX FUNDING FOR HEALTH CARE *(J. Mathis)*
Read for the first time and referred to the Rules Committee 749
Placed on calendar 933
Read the second and third time 981
Signed by the President and returned to the House 982

H.B. 194 −− SERVICE ANIMALS *(P. Ray)*
Read for the first time and referred to the Rules Committee 787
Enacting Clause Stricken 992

H.B. 195 −− CRIMINAL PROCEDURE AMENDMENT *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 552
Read the second time and placed on Consent Calendar 665
Read the third time 755
Signed by the President and returned to the House 755

H.B. 196 −− REAL PROPERTY DISCLOSURES *(G. Hughes)*
Read for the first time and referred to the Rules Committee 749
Enacting Clause Stricken 992

H.B. 198 −− STATEWIDE 911 EMERGENCY COMMUNICATION AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 888
Read the second and third time 974
Signed by the President and returned to the House 975

H.B. 199 −− INSURANCE AMENDMENTS − ADOPTION INDEMNITY BENEFIT *(M. Newbold)*
Read for the first time and referred to the Rules Committee 587
Assigned to standing committee 654
Read the second time and placed on Consent Calendar 721
Read the third time 780
Signed by the President and returned to the House 781

H.B. 201 −− FEE WAIVER ELIGIBILITY VERIFICATION *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 888, 941
Enacting Clause Stricken 992

H.B. 202 −− FOREIGN EXCHANGE STUDENT AMENDMENTS *(N. Hendrickson)*
Read for the first time and referred to the Rules Committee 586
Assigned to standing committee 653
Amendments 717
Committee report adopted and placed on calendar 720
Enacting Clause Stricken 990

H.B. 204 −− COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS *(P. Wallace)*
Read for the first time and referred to the Rules Committee 293
Assigned to standing committee 312

Committee report adopted and placed on calendar 478
Read the second time 593
Read the third time 616
Signed by the President and returned to the House 616

H.B. 205 −− REPEAL OF OBSOLETE DEPENDENT SPECIAL DISTRICTS *(Julie Fisher)*
Read for the first time and referred to the Rules Committee 171
Assigned to standing committee 185
Read the second time and placed on Consent Calendar 368
Read the third time 446
Signed by the President and returned to the House 446

H.B. 207 −− INHERENT RISKS OF PARTICIPATING IN RECREATIONAL ACTIVITIES ON PROPERTY OWNED BY LOCAL GOVERNMENT *(D. Bowman)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 349
Committee report adopted and placed on calendar 414
Read the second time 581
Read the third time 611
Signed by the President and returned to the House 612

H.B. 208 −− AGGRAVATED MURDER AMENDMENT *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 256
Assigned to standing committee 349
Committee report adopted and placed on calendar 382
Read the second time 467
Read the third time 499
Signed by the President and returned to the House 499

H.B. 209 −− PARTIAL LUMP−SUM RETIREMENT PAYMENT OPTION *(D. Clark)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 521
Committee report adopted and placed on calendar 607
Placed on calendar 740
Read the second time 826
Read the third time 842
Signed by the President and returned to the House 842

H.B. 210 −− COUNTY ORDINANCE AMENDMENTS *(L. Wiley)*
Read for the first time and referred to the Rules Committee 274
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 415
Read the third time 509
Signed by the President and returned to the House 509

H.B. 212 −− DNA DATABASE AMENDMENTS *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 349
Committee report adopted and placed on calendar 382
Read the second time 468
Read the third time 499
Signed by the President and returned to the House 500

H.B. 213 −− SERVICES FOR PEOPLE WITH BRAIN INJURIES *(R. Menlove)*
Read for the first time and referred to the Rules Committee 217
Assigned to standing committee 275
Committee report adopted and placed on calendar 314
Read the second time 458
Read the third time 487
Signed by the President and returned to the House 487

H.B. 215 −− PEHP RISK POOL AMENDMENTS *(D. Clark)*
Read for the first time and referred to the Rules Committee 780
Placed on calendar 933
Read the second and third time 981
Signed by the President and returned to the House 981

H.B. 216 −− EXPIRATION OF GROUP HEALTH INSURANCE FOR RETIRED GOVERNORS AND LEGISLATORS *(D. Clark)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 654
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 992

H.B. 217 −− HEALTH INSURANCE HIGH RISK POOL ELIGIBILITY AMENDMENTS *(D. Litvack)*
Read for the first time and referred to the Rules Committee 310
Assigned to standing committee 349
Committee report adopted and placed on calendar 478
Read the second time 593
Tabled on Third Reading Calendar 593
Enacting Clause Stricken 992

H.B. 218 −− SCHOOLS FOR THE DEAF AND BLIND SALARY ADJUSTMENT *(K. Morgan)*
Read for the first time and referred to the Rules Committee 378
Assigned to standing committee 494

Read the second time and placed on Consent Calendar 572
Read the third time 665
Signed by the President and returned to the House 666

H.B. 219 −− CHILD PROTECTION − CLANDESTINE LABORATORY OPERATION *(E. Hutchings)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 349
Committee report adopted and placed on calendar 382
Read the second time 468
Read the third time 500
Circled 500
Uncircled 512
Amendments 512
Returned to the House 513
Signed by the President and returned to the House 551

H.B. 220 −− CHILD PROTECTION − GANG ASSOCIATION *(E. Hutchings)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Amendments 663
Committee report adopted and placed on calendar 664
Enacting Clause Stricken 992

H.B. 221 −− AMBULANCE AND PARAMEDIC FEE AMENDMENTS *(P. Ray)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 455
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 828
Read the third time 842
Signed by the President and returned to the House 843

H.B. 222 −− UNBORN CHILD PAIN PREVENTION ACT *(P. Ray)*
Read for the first time and referred to the Rules Committee 256
Assigned to standing committee 275
Referred to Rules Committee for interim study 763
Enacting Clause Stricken 992

H.B. 223 −− TRESPASS LAW AMENDMENTS *(K. Gibson)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Placed on calendar 835
Read the second and third time 976
Signed by the President and returned to the House 977

H.B. 224 −− RETIREMENT SYSTEM PARTICIPATION *(D. Clark)*
Read for the first time and referred to the Rules Committee 310
Assigned to standing committee 456
Committee report adopted and placed on calendar 607
Placed on calendar 740
Read the second time 829
Read the third time 843
Signed by the President and returned to the House 843

H.B. 225 −− POST RETIREMENT EMPLOYMENT *(G. Donnelson)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 456
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 992

H.B. 226 −− KINDERGARTEN READINESS *(L. Shurtliff)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 394
Committee report adopted and placed on calendar 478
Read the second time 594
Read the third time 623
Signed by the President and returned to the House 624

H.B. 227 −− UNDERAGE TATTOOING PENALTY AMENDMENT *(D. Ure)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Read the second time and placed on Consent Calendar 536
Read the third time 638
Signed by the President and returned to the House 638

H.B. 228 −− GROUNDWATER MANAGEMENT PLAN *(D. Ure)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 493
Amendments 533
Committee report adopted and placed on calendar 534
Placed on calendar 739
Read the second time 824
Tabled on Third Reading Calendar 824
Read the third time 900
Returned to the House 900

Signed by the President and returned to the House 942

H.B. 229 −− TRAUMA REGISTRY DATA *(S. Allen)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 479
Read the third time 572
Signed by the President and returned to the House 573

H.B. 230 −− HIGH SCHOOL CURRICULUM AND GRADUATION *(B. Daw)*
Read for the first time and referred to the Rules Committee 787
Enacting Clause Stricken 992

H.B. 232 −− HIGHER EDUCATION TUITION FOR ACTIVE DUTY MILITARY *(M. Morley)*
Read for the first time and referred to the Rules Committee 199
Assigned to standing committee 274
Committee report adopted and placed on calendar 314
Read the second time 459
Read the third time 488
Signed by the President and returned to the House 488

H.B. 233 −− INSURANCE LICENSING AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 217
Assigned to standing committee 274
Amendments 471
Committee report adopted and placed on calendar 478
Read the second time 584
Read the third time 614
Returned to the House 615
Signed by the President and returned to the House 652

H.B. 234 −− SEAT BELT AMENDMENTS *(J. Murray)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 363
Committee report adopted and placed on calendar 443
Read the second time 584
Failed 584
Returned to the House 584
Enacting Clause Stricken 992

H.B. 235 −− PUBLIC SAFETY VEHICLES − MARKING LIGHTS *(J. Murray)*
Read for the first time and referred to the Rules Committee 184
Assigned to standing committee 200
Read the second time and placed on Consent Calendar 265
Read the third time 334
Signed by the President and returned to the House 334

H.B. 236 −− DEPARTMENT OF COMMERCE − DEMOGRAPHIC DATA TRACKING *(M. Wheatley)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 494
Referred to Rules Committee for interim study 764
Enacting Clause Stricken 992

H.B. 237 −− DIRECT−ENTRY MIDWIFE ACT − REPEALERS *(J. Biskupski)*
Read for the first time and referred to the Rules Committee 310
Assigned to standing committee 435
Read the second time and placed on Consent Calendar 479
Read the third time 573
Signed by the President and returned to the House 573

H.B. 238 −− AUTHORIZING TEMPORARY ROAD CLOSURES *(M. Noel)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Committee report adopted and placed on calendar 508
Read the second time 601
Read the third time 628
Signed by the President and returned to the House 629

H.B. 240 −− PUBLIC SAFETY RETIREMENT REVISIONS *(D. Clark)*
Read for the first time and referred to the Rules Committee 552
Assigned to standing committee 654
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 992

H.B. 241 −− INDUSTRIAL PROTECTION ACT *(R. Menlove)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Committee report adopted and placed on calendar 664
Placed on calendar 834
Read the second and third time 873
Signed by the President and returned to the House 873

H.B. 242 −− MOTORBOAT LIABILITY INSURANCE AMENDMENTS *(K. Gibson)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 393
Committee report adopted and placed on calendar 478

Read the second time 585
Read the third time 615
Signed by the President and returned to the House 615

H.B. 244 −− AGGRAVATED ASSAULT BY PRISONERS AMENDMENT *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Committee report adopted and placed on calendar 534
Placed on calendar 653
Read the second time 812
Read the third time 837
Signed by the President and returned to the House 838

H.B. 245 −− CHILD CUSTODY DETERMINATIONS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 378
Amendments 478
Read the second time and placed on Consent Calendar 479
Read the third time 573
Circled 574
Uncircled 574
Returned to the House 575
Signed by the President and returned to the House 620

H.B. 246 −− HEALTH CARE COST AND QUALITY DATA *(M. Morley)*
Read for the first time and referred to the Rules Committee 739
Enacting Clause Stricken 992

H.B. 247 −− PLEA IN ABEYANCE FEE *(M. S. Lawrence)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 379
Read the second time and placed on Consent Calendar 665
Read the third time 755
Signed by the President and returned to the House 756

H.B. 248 −− EXECUTIVE AND LEGISLATIVE COORDINATION ACT *(D. Hogue)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 750
Placed on calendar 834
Read the second and third time 930
Failed 931
Returned to the House 931
Enacting Clause Stricken 992

H.B. 249 −− JUVENILE COURT JUDGE *(D. Hogue)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 654
Committee report adopted and placed on calendar 720
Enacting Clause Stricken 992

H.B. 250 −− LOCAL GOVERNMENTS RESTRICTIONS ON LIMITING CERTAIN FEES *(G. Hughes)*
Read for the first time and referred to the Rules Committee 293
Assigned to standing committee 362
Committee report adopted and placed on calendar 478
Read the second time 585
Amendments 585, 616
Read the third time 615
Circled 615
Uncircled 616
Signed by the President and returned to the House 618

H.B. 251 −− DEVELOPMENT GRANTS FOR LIBRARIES *(M. Noel)*
Read for the first time and referred to the Rules Committee 520
Assigned to standing committee 553
Committee report adopted and placed on calendar 622
Enacting Clause Stricken 992

H.B. 253 −− SCHOOL TRUANCY AMENDMENTS *(E. Hutchings)*
Read for the first time and referred to the Rules Committee 520
Assigned to standing committee 653
Amendments 717
Committee report adopted and placed on calendar 720
Placed on calendar . . . . . 889 , 941
Enacting Clause Stricken 992

H.B. 254 −− CHILD CARE LICENSING RESTRICTIONS *(M. S. Lawrence)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 434
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 824
Read the third time 841
Signed by the President and returned to the House 841

H.B. 256 −− REQUIREMENT OF PROPERTY TAX INCREASE ADVERTISEMENT *(G. Hughes)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 394
Committee report adopted and placed on calendar 478
Read the second time 596
Read the third time 626
Signed by the President and returned to the House 627

H.B. 257 −− MATERIAL HARMFUL TO MINORS AMENDMENTS *(D. Hogue)*
Read for the first time and referred to the Rules Committee 780
Placed on calendar 968
Enacting Clause Stricken 992

H.B. 258 −− GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT − PUBLIC RECORDS *(B. Ferry)*
Read for the first time and referred to the Rules Committee 238
Assigned to standing committee 248
Committee report adopted and placed on calendar 264
Read the second time 306
Read the third time 339
Substituted 340
Returned to the House 340
Signed by the President and transmitted to the Governor 361

H.B. 259 −− DIVISION OF AIR QUALITY − BOND FOR STAY OF AN ORDER *(A. Tilton)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Enacting Clause Stricken 992

H.B. 260 −− STATE OFFICE OF REHABILITATION − BUDGET RECOMMENDATIONS *(B. Last)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Committee report adopted and placed on calendar 572
Placed on calendar 821
Read the second time 858
Tabled on Third Reading Calendar 858
Read the third time 896
Signed by the President and returned to the House 896

H.B. 261 −− PROPERTY TAX REVISIONS *(M. Newbold)*
Read for the first time and referred to the Rules Committee 348
Assigned to standing committee 363
Read the second time and placed on the Consent Calendar 415
Read the third time 510
Signed by the President and returned to the House 510

H.B. 262 −− RESPIRATORY CARE AMENDMENTS *(B. Last)*
Read for the first time and referred to the Rules Committee 527
Assigned to standing committee 552
Read the second time and placed on Consent Calendar 665
Read the third time 753
Signed by the President and returned to the House 754

H.B. 263 −− CHILD CARE REVISIONS *(D. G. Buxton)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Read the second time and placed on Consent Calendar 591
Returned to rules 650
Placed on calendar 821
Read the second time 859
Circled 859
Uncircled 863
Amendments 863
Read the second and third time 863
Returned to the House 864
Signed by the President and returned to the House 886

H.B. 264 −− ACCEPTANCE OF R.S. 2477 RIGHTS−OF−WAY AMENDMENTS *(M. Noel)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Committee report adopted and placed on calendar 508
Read the second time 600
Read the third time 627
Signed by the President and returned to the House 628

H.B. 265 −− DUE DATE FOR FILING ELECTRONICALLY FILED WITHHOLDING RETURNS *(M. Newbold)*
Read for the first time and referred to the Rules Committee 287
Assigned to standing committee 350
Read the second time and placed on the Consent Calendar 415
Read the third time 510
Signed by the President and returned to the House 511

H.B. 266 −− FIRE ALARM SYSTEM CERTIFICATION REQUIREMENTS *(J. Murray)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 521

Committee report adopted and placed on calendar 664
Placed on calendar 740
Read the second time 829
Read the third time 843
Signed by the President and returned to the House 843

H.B. 267 −− TRANSPORTATION CONSTRUCTION AMENDMENTS *(Julie Fisher)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 494
Committee report adopted and placed on calendar 534
Placed on calendar 822
Read the second and third time 859
Signed by the President and returned to the House 860

H.B. 269 −− HUMAN RESOURCE MANAGEMENT AMENDMENTS *(D. Clark)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 520
Committee report adopted and placed on calendar 622
Placed on calendar 788
Read the second and third time 795
Signed by the President and returned to the House 795

H.B. 270 −− EMERGENCY MEDICAL SERVICE PROVIDER TORT REFORM *(S. Allen)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Enacting Clause Stricken 992

H.B. 271 −− PETROLEUM STORAGE TANK TRUST FUND AMENDMENTS *(D. Ure)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 933
Read the second and third time 984
Signed by the President and returned to the House 985

H.B. 272 −− INSURANCE LAW AMENDMENTS *(T. Kiser)*
Read for the first time and referred to the Rules Committee 432
Assigned to standing committee 455
Read the second time and placed on Consent Calendar 536
Read the third time 636
Signed by the President and returned to the House 637

H.B. 274 −− REMOVAL OF COUNTY OR PROSECUTION DISTRICT OFFICER AMENDMENTS *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 521
Committee report adopted and placed on calendar 534
Placed on calendar 822
Read the second and third time 860
Signed by the President and returned to the House 860

H.B. 276 −− MEDICAID COVERED AT WORK PREMIUM SUBSIDY *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Placed on calendar 896
Read the second and third time 922
Signed by the President and returned to the House 923

H.B. 278 −− OUT−OF−STATE PARENT−TIME AMENDMENTS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Committee report adopted and placed on calendar 590
Read the second time and plaed on the Consent Calendar 650
Read the third time 731
Circled 732
Uncircled 737
Signed by the President and returned to the House 737

H.B. 282 −− UTAH UNIFORM PROBATE CODE AMENDMENTS *(R. Romero)*
Read for the first time and referred to the Rules Committee 802
Enacting Clause Stricken 993

H.B. 283 −− MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS *(P. Painter)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 435
Committee report adopted and placed on calendar 508
Read the second time 602
Read the third time 629
Signed by the President and returned to the House 629

H.B. 284 −− VETERINARY PRACTICE ACT AMENDMENTS *(J. Mathis)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 822
Read the second and third time 861
Signed by the President and returned to the House 861

H.B. 285 −− APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 493
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 831
Tabled on Third Reading Calendar 831
Read the third time 899
Signed by the President and returned to the House 899

H.B. 287 −− WILDLIFE DAMAGE COMPENSATION ACT AMENDMENTS *(C. Buttars)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Substituted 506
Committee report adopted and placed on calendar 508
Read the second time 600
Read the third time 628
Returned to the House . . . . . 628 , 636
Signed by the President and returned to the House 675

H.B. 288 −− HEALTH CARE AMENDMENTS FOR FOSTER CHILDREN *(D. Hogue)*
Read for the first time and referred to the Rules Committee 802
Placed on calendar 896
Read the second and third time 923
Signed by the President and returned to the House 924

H.B. 289 −− UTAH EDUCATION NETWORK AMENDMENTS *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 455
Amendments 535
Read the second time and placed on Consent Calendar 536
Read the third time 637
Returned to the House 637
Signed by the President and returned to the House 675

H.B. 290 −− PROTECTIVE ORDER AMENDMENTS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Enacting Clause Stricken 993

H.B. 291 −− STATE TAX COMMISSION BONDING AND LICENSING AMENDMENTS *(W. Harper)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 521
Read the second time and placed on Consent Calendar 623
Read the third time 691
Signed by the President and returned to the House 691

H.B. 293 −− TRANSPORTATION − OVERSIZE AND OVERWEIGHT PERMIT *(K. Gibson)*
Read for the first time and referred to the Rules Committee 471
Assigned to standing committee 494
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 830
Read the third time 844
Signed by the President and returned to the House 844

H.B. 294 −− CREATION OF EDUCATION FUND *(J. Alexander)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 654
Read the second time and placed on Consent Calendar 678
Read the third time 756
Circled 757
Uncircled 775
Signed by the President and returned to the House 775

H.B. 295 −− CHILD SUPPORT AMENDMENTS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 654
Read the second time and placed on the Consent Calendar 721
Read the third time 781
Signed by the President and returned to the House 781

H.B. 296 −− GOVERNOR'S BUDGET − WAGE AND BENEFIT INCREASES TO BE CONSIDERED FOR SOIL CONSERVATION DISTRICT *(K. Gibson)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 494
Committee report adopted and placed on calendar 534
Placed on calendar 740
Read the second time 831
Circled 831
Uncircled 854
Read the third time 892
Signed by the President and returned to the House 893

H.B. 298 −− DRIVER LICENSE − APPLICATION OF MINOR *(D. Litvack)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Placed on calendar . . . . . 835 , 941
Enacting Clause Stricken 993

H.B. 299 −− MEDICAL RECOMMENDATIONS FOR CHILDREN *(M. Morley)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 749
Enacting Clause Stricken 993

H.B. 303 −− AGING AND ADULT SERVICES PROGRAM AMENDMENTS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 749
Placed on calendar . . . . . 888 , 941
Enacting Clause Stricken 993

H.B. 304 −− VOIDING TRANSACTIONS AGAINST PUBLIC POLICY *(L. Christensen)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 654
Referred to Rules Committee for interim study 767
Placed on calendar 888
Read the second time 977
Circled 977
Enacting Clause Stricken 993

H.B. 305 −− BOATING REGISTRATION FEE *(D. Cox)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 750
Enacting Clause Stricken 993

H.B. 306 −− PRIVATE PROBATION PROVIDER AMENDMENT *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 493
Read the second time and placed on the Consent Calendar 536
Read the third time 638
Signed by the President and returned to the House 639

H.B. 308 −− INSURANCE POLICY AND CONTRACT LAW AMENDMENTS *(T. Kiser)*
Read for the first time and referred to the Rules Committee 310
Assigned to standing committee 348
Read the second time and placed on Consent Calendar 445
Read the third time 537
Signed by the President and returned to the House 537

H.B. 309 −− MUNICIPAL ENERGY SALES AND USE TAX AMENDMENTS *(G. Hughes)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 749
Placed on calendar 834
Read the second and third time 875
Signed by the President and returned to the House 875

H.B. 311 −− CULTURAL SITES PROTECTION AMENDMENTS *(B. Johnson)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar 834
Read the second and third time 935
Signed by the President and returned to the House 936

H.B. 315 −− REAL ESTATE AMENDMENTS *(G. Snow)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 378
Amendments 472
Committee report adopted and placed on calendar 478
Read the second time 592
Read the third time 615
Returned to the House 616
Signed by the President and returned to the House 652

H.B. 316 −− ADMINISTRATIVE RULES PROCEDURE AMENDMENTS *(D. Ure)*
Read for the first time and referred to the Rules Committee 571
Assigned to standing committee 653
Read the second time and placed on Consent Calendar 678
Read the third time 756
Circled 756
Uncircled 774
Signed by the President and returned to the House 775

H.B. 317 −− ADMINISTRATIVE RULE CRIMINAL PENALTY AMENDMENTS *(D. Ure)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 750
Placed on calendar 834
Placed on calendar 941
Enacting Clause Stricken 993

H.B. 319 −− DENSITY CREDIT FOR LAND DONATED TO SCHOOL DISTRICT *(D. Cox)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 749
Enacting Clause Stricken 993

H.B. 321 −− ORGANIZED RETAIL THEFT OFFENSES *(P. Ray)*
Read for the first time and referred to the Rules Committee 802
Enacting Clause Stricken 993

H.B. 322 −− COSTS OF DIVORCE *(P. Wallace)*
Read for the first time and referred to the Rules Committee 716
Placed on calendar 834
Read the second and third time 932
Signed by the President and returned to the House 932

H.B. 323 −− INDIVIDUAL INCOME TAX RATE REDUCTION *(J. Ferrin)*
Read for the first time and referred to the Rules Committee 530
Assigned to standing committee 553
Placed on calendar 653
Read the second time 659
Substituted 659
Read the third time 669
Circled 670
Enacting Clause Stricken 993

H.B. 326 −− NEW CENTURY SCHOLARSHIP AMENDMENTS *(K. Holdaway)*
Read for the first time and referred to the Rules Committee 651
Assigned to standing committee 679
Read the second time and placed on Consent Calendar 743
Read the third time 809
Signed by the President and returned to the House 809

H.B. 327 −− PUBLIC EMPLOYER BENEFIT PLANS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 888
Read the second and third time 956
Amendments 957
Returned to the House 958

H.B. 328 −− ELIMINATING THE AGE REQUIREMENT FOR HUNTING SMALL GAME *(C. Oda)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 750
Placed on calendar 835
Read the second and third time 980
Signed by the President and returned to the House 981

H.B. 329 −− AGE AMENDMENTS FOR HUNTING BIG GAME *(C. Oda)*
Read for the first time and referred to the Rules Committee 691
Assigned to standing committee 750
Enacting Clause Stricken 993

H.B. 330 −− ALLOWANCE OF STATE MEMORIALS ON STATE PROPERTY *(W. Harper)*
Read for the first time and referred to the Rules Committee 636
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 888, 941
Enacting Clause Stricken 993

H.B. 333 −− ANTITRUST EXEMPTION *(R. Wheeler)*
Read for the first time and referred to the Rules Committee 619
Assigned to standing committee 750
Placed on calendar 896
Read the second and third time 926
Signed by the President and returned to the House 927

H.B. 335 −− RADIATION CONTROL ACT − BOND REQUIREMENTS *(A. Tilton)*
Read for the first time and referred to the Rules Committee 739
Enacting Clause Stricken 993

H.B. 337 −− EDUCATION RESOURCES CONSERVATION PROGRAM *(J. Biskupski)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar . . . . . 889 , 941
Enacting Clause Stricken 993

H.B. 338 −− PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY *(J. Dougall)*
Read for the first time and referred to the Rules Committee 659
Assigned to standing committee 679
Returned to Rules 731
Placed on calendar 822
Read the second time 861
Circled 862
Uncircled 862
Read the second and third time 862
Signed by the President and returned to the House 863

H.B. 339 −− COMMISSION ON CIVIC AND CHARACTER EDUCATION *(L. Christensen)*
Read for the first time and referred to the Rules Committee 802
Placed on calendar 896
Read the second and third time 924
Amendments 924
Returned to the House 925
Signed by the President and returned to the House 942

H.B. 342 −− TRAFFIC CODE REVISIONS *(J. Dunnigan)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Enacting Clause Stricken 993

H.B. 346 −− STATE EMPLOYEE RETIREMENT BENEFITS AMENDMENTS *(J. Dougall)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 456
Referred to Rules Committee for interim study 764
Placed on calendar 896
Read the second and third time 926
Signed by the President and returned to the House 926

H.B. 348 −− ELECTION CODE − ELECTRONIC VOTING PROCEDURES AND REQUIREMENTS *(D. Aagard)*
Read for the first time and referred to the Rules Committee 552
Assigned to standing committee 654
Amendments 677
Read the second time and placed on Consent Calendar 678
Read the third time 756
Returned to the House 756
Signed by the President and returned to the House 786

H.B. 350 −− CONCEALED FIREARMS INSTRUCTORS *(C. Oda)*
Read for the first time and referred to the Rules Committee 749
Placed on calendar 888
Read the second and third time 975
Signed by the President and returned to the House 975

H.B. 351 −− CARSON SMITH SCHOLARSHIP PROGRAM AMENDMENTS *(M. Newbold)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar 888
Read the second and third time 979
Signed by the President and returned to the House 979

H.B. 352 −− STATE BUDGET PROVISIONS *(M. Dayton)*
Read for the first time and referred to the Rules Committee 552
Assigned to standing committee 654
Committee report adopted and placed on calendar 677
Enacting Clause Stricken 993

H.B. 357 −− WATER ISSUES TASK FORCE *(D. Ure)*
Read for the first time and referred to the Rules Committee 662
Assigned to standing committee 679
Returned to the Rules Committee 742
Placed on calendar 834
Read the second and third time 872
Signed by the President and returned to the House 872

H.B. 363 −− DRIVER LICENSE − LEARNER PERMIT PROVISIONS *(J. Dougall)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 888
Read the second and third time 975
Signed by the President and returned to the House 976

H.B. 365 −− AUTOMATED TELLER MACHINE FEES *(M. Walker)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar 889
Read the second time 934
Circled 934
Uncircled 948
Read the second and third time 948
Signed by the President and returned to the House 949

H.B. 366 −− TRAFFIC CODE AMENDMENTS *(P. Ray)*
Read for the first time and referred to the Rules Committee 780
Enacting Clause Stricken 993

H.B. 367 −− AUDIT OF STATE BUDGETS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 739
Enacting Clause Stricken 993

H.B. 368 −− COMMISSION PAYMENT ACT *(D. Ure)*
Read for the first time and referred to the Rules Committee 739
Enacting Clause Stricken 993

H.B. 370 −− TRANSPORTATION PLANNING AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 455
Assigned to standing committee 494
Read the second time and placed on Consent Calendar 536
Read the third time 637
Signed by the President and returned to the House 638

H.B. 371 −− TRANSIENT ROOM TAXES AMENDMENTS *(D. Clark)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 751
Placed on calendar 834

Read the second time 927
Read the second and third time 927
Signed by the President and returned to the House 928

H.B. 372 −− EXPENDITURE OF LOCAL OPTION TRANSPORTATION TAX REVENUE *(B. Ferry)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar 834
Read the second and third time 928
Amendments 928
Returned to the House 928
Signed by the President and returned to the House 942

H.B. 379 −− AMENDMENTS TO SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE FUND *(T. Cosgrove)*
Read for the first time and referred to the Rules Committee 808
Enacting Clause Stricken 993

H.B. 381 −− POST−RETIREMENT BENEFITS TRUST FUND *(D. Clark)*
Read for the first time and referred to the Rules Committee 818
Enacting Clause Stricken 993

H.B. 382 −− PARENTAGE ACT AMENDMENTS *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 802
Enacting Clause Stricken 993

H.B. 383 −− VEHICLES USED FOR AGRICULTURAL PURPOSES *(K. Gibson)*
Read for the first time and referred to the Rules Committee 520
Assigned to standing committee 552
Read the second time and placed on Consent Calendar 665
Read the third time 754
Signed by the President and returned to the House 755

H.B. 388 −− TRAUMATIC BRAIN INJURY FUND *(J. Gowans)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar 964
Read the second time 964
Substituted 964
Circled 964
Uncircled 968
Read the second and third time 968
Returned to the House 968

H.B. 394 −− RELOCATING OUTDOOR ADVERTISING *(D. Ure)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar 835
Read the second and third time 960
Signed by the President and returned to the House 961

H.B. 396 −− AMENDMENTS TO THE PROPERTY TAX EXEMPTION FOR DISABLED VETERANS *(M. Morley)*
Read for the first time and referred to the Rules Committee 586
Assigned to standing committee 654
Read the second time and placed on Consent Calendar 678
Read the third time 757
Signed by the President and returned to the House 757

H.B. 398 −− JOINT CUSTODY AMENDMENTS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 759
Enacting Clause Stricken 993

H.B. 401 −− VETERANS AFFAIRS AMENDMENTS *(B. Dee)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar . . . . . 889 , 941
Read the second time 967
Amendments 967
Read the second and third time 967
Returned to the House 968

H.B. 403 −− BAILBOND AMENDMENTS *(G. Hughes)*
Read for the first time and referred to the Rules Committee 780
Placed on calendar 889
Read the second and third time 970
Signed by the President and returned to the House 971

H.B. 407 −− COUNSELING FOR FAMILIES OF VETERANS *(T. Cosgrove)*
Read for the first time and referred to the Rules Committee 818
Placed on calendar 896
Read the second and third time 925
Signed by the President and returned to the House 925

H.B. 410 −− SEX OFFENDER REGISTRATION FEE *(L. Fowlke)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar . . . . . 889 , 941
Read the second and third time 985
Signed by the President and returned to the House 985

H.B. 413 −− COMPARATIVE NEGLIGENCE AMENDMENTS *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 729
Assigned to standing committee 751

Placed on calendar 835
Read the second and third time 940
Failed 940
Returned to the House for filing 940

H.B. 414 −− PETITION FOR INVOLUNTARY MEDICATION OF INCOMPETENT PERSON *(S. Wyatt)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 889
Read the second and third time 972
Signed by the President and returned to the House 972

H.B. 417 −− AMENDMENTS TO CHILD PROTECTION REGISTRY *(E. Hutchings)*
Read for the first time and referred to the Rules Committee 739
Placed on calendar 889
Read the second and third time 979
Signed by the President and returned to the House 980

H.B. 420 −− MUNICIPAL BUILDING INSPECTORS AVAILABILITY *(A. Tilton)*
Read for the first time and referred to the Rules Committee 802
Enacting Clause Stricken 993

H.B. 423 −− LIMITATION ON LOCAL HIGHWAY AUTHORITIES *(W. Harper)*
Read for the first time and referred to the Rules Committee 716
Assigned to standing committee 750
Placed on calendar . . . . . 834 , 941
Read the second and third time 985
Signed by the President and returned to the House 986

H.B. 428 −− CONSUMER SALES PRACTICES ACT AMENDMENTS *(M. S. Lawrence)*
Read for the first time and referred to the Rules Committee 675
Assigned to standing committee 679
Read the second time and placed on Consent Calendar 743
Read the third time 809
Signed by the President and returned to the House 810

H.B. 429 −− METHAMPHETAMINE − RESTRICTION ON COMPONENTS *(M. Morley)*
Read for the first time and referred to the Rules Committee 759
Placed on calendar . . . . . 889 , 941
Enacting Clause Stricken 993

H.B. 430 −− DEPARTMENT OF FINANCIAL INSTITUTIONS PAY PLAN *(J. Alexander)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 889
Read the second and third time 934
Signed by the President and returned to the House 934

H.B. 432 −− ACCESS TO POINT−OF−SALE DEVICES *(R. Barrus)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar 889, 941
Enacting Clause Stricken 993

H.B. 436 −− LEGISLATIVE DISTRICT CHANGES TO ACCOMMODATE COUNTY BOUNDARY CHANGE *(G. Hughes)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 749
Placed on calendar 834
Read the second and third time 929
Signed by the President and returned to the House 929

H.B. 444 −− IRRIGATION COMPANIES − NONPROFIT CORPORATION AMENDMENTS *(J. Gowans)*
Read for the first time and referred to the Rules Committee 651
Assigned to standing committee 679
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 993

H.B. 446 −− SURPLUS LANDS AMENDMENTS *(M. Walker)*
Read for the first time and referred to the Rules Committee 787
Placed on calendar 835, 941
Read the second and third time 947
Signed by the President and returned to the House 948

H.B. 448 −− STANDARDIZING DOCUMENTS FILED WITH THE COUNTY RECORDER *(C. Frank)*
Read for the first time and referred to the Rules Committee 753
Enacting Clause Stricken 994

H.B. 453 −− GIFTS, GRANTS, AND DONATIONS TO OFFICE OF THE ATTORNEY GENERAL *(M. Noel)*
Read for the first time and referred to the Rules Committee 738
Assigned to standing committee 749
Enacting Clause Stricken 994

H.B. 457 −− AMENDMENTS TO TRANSPORTATION PROVISIONS *(J. Dougall)*
Read for the first time and referred to the Rules Committee 753
Placed on calendar 933
Read the second time 983
Circled 983
Enacting Clause Stricken 994

H.B. 458 −− ECONOMIC DEVELOPMENT − GOVERNMENT PROCUREMENT CONTRACTS *(J. S. Adams)*
Read for the first time and referred to the Rules Committee 802
Placed on calendar 889
Read the second and third time 980
Signed by the President and returned to the House 980

H.B. 461 −− VETERANS NURSING HOME − EXTENSION BOND AUTHORIZATION *(A. Hardy)*
Read for the first time and referred to the Rules Committee 493
Assigned to standing committee 520
Committee report adopted and placed on calendar 622
Placed on calendar 653
Read the second time 814
Read the third time 840
Signed by the President and returned to the House 840

H.C.R. 2 −− RESOLUTION PROMOTING UTAH'S LEGISLATORS BACK TO SCHOOL PROGRAM *(M. Dayton)*
Read for the first time and referred to the Rules Committee 184
Assigned to standing committee 348
Read the second time and placed on Consent Calendar 445
Read the third time 539
Signed by the President and returned to the House 539

H.C.R. 3 −− RESOLUTION REGARDING THE HARMFUL EFFECTS OF TOBACCO, ALCOHOL, AND DRUGS ON YOUTH *(N. Hansen)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 349
Read the second time and placed on Consent Calendar 479
Read the third time 574
Circled 574
Uncircled 575
Signed by the President and returned to the House 575

H.C.R. 4 −− RESOLUTION SUPPORTING UTAH HIGHWAY PATROL USE OF WHITE CROSSES AS ROADSIDE MEMORIALS *(P. Ray)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 349
Amendments 508
Committee report adopted and placed on calendar 508
Placed on calendar 652
Read the second and third time 745
Returned to the House 745
Signed by the President and returned to the House 758

H.C.R. 5 −− RESOLUTION URGING CONGRESS TO RESOLVE CAMP WILLIAMS BOUNDARY ISSUES *(D. Hogue)*
Read for the first time and referred to the Rules Committee 362
Assigned to standing committee 378
Committee report adopted and placed on calendar 478
Read the second time 596
Circled 596
Enacting Clause Stricken 994

H.C.R. 6 −− CONCURRENT RESOLUTION RECOGNIZING CONTRIBUTIONS OF FRED C. ADAMS *(D. Bowman)*
Placed on Time Certain Calendar 623
Read for the first time and referred to the Rules Committee 704
Placed on calendar 704
Read the second and third time 704
Signed by the President and returned to the House 705

H.J.R. 1 −− RESOLUTION REGARDING PROPERTY TAX ON PERSONAL PROPERTY *(J. Dougall)*
Read for the first time and referred to the Rules Committee 659
Assigned to standing committee 679
Returned to Rules 731
Placed on calendar 822
Read the second and third time 862
Signed by the President and returned to the House 862

H.J.R. 2 −− RESOLUTION URGING CONGRESSIONAL ACTION ON THE TAX DEDUCTIBILITY OF MEDICAL EXPENSES BY INDIVIDUALS *(E. Hutchings)*
Read for the first time and referred to the Rules Committee 332
Assigned to standing committee 350
Read the second time and placed on Consent Calendar 415
Read the third time 509
Signed by the President and returned to the House 510

H.J.R. 3 −− JOINT RULES RESOLUTION − BASE BUDGET PROCESS *(R. Bigelow)*
Read for the first time and referred to the Rules Committee 111
Assigned to standing committee 161
Committee report adopted and placed on calendar 204
Read the second time 303
Circled 303, 337
Uncircled 304, 338
Substituted 304, 431
Read the third time 337
Returned to the House 339
Refused to recede 431
Joint Conference Committee Report 431
Conference Committee report adopted 431
Returned to the House for further action 431
Signed by the President and returned to the House 470

H.J.R. 7 −− RESOLUTION OPPOSING UNITED STATES SUPREME COURT'S PORNOGRAPHY DECISION *(R. Bigelow)*
Read for the first time and referred to the Rules Committee 393
Assigned to standing committee 435
Read the second time and placed on Consent Calendar 572
Read the third time 665
Signed by the President and returned to the House 665

H.J.R. 8 −− RESOLUTION REVISING EXECUTIVE OFFICER SUCCESSION PROVISIONS *(S. Allen)*
Read for the first time and referred to the Rules Committee 413
Assigned to standing committee 455
Amendments 621
Committee report adopted and placed on calendar 622
Placed on calendar 968
Enacting Clause Stricken 994

H.J.R. 9 −− JOINT RULES RESOLUTION − RECODIFICATION AND REVISIONS *(R. Lockhart)*
Read for the first time and referred to the Rules Committee 160
Placed on calendar 171
Read the second and third time 206
Signed by the President and returned to the House 207

H.J.R. 10 −− JOINT RULES RESOLUTION − DISCLOSURE OF CONFLICT OF INTEREST *(R. Romero)*
Read for the first time and referred to the Rules Committee 503
Assigned to standing committee 520
Committee report adopted and placed on calendar 622
Enacting Clause Stricken 994

H.J.R. 12 −− JOINT RESOLUTION SUPPORTING GARFIELD COUNTY EXPANSION OF CORRECTIONAL FACILITIES *(M. Noel)*
Read for the first time and referred to the Rules Committee 729
Enacting Clause Stricken 994

H.J.R. 14 −− RESOLUTION URGING STATE AGENCIES TO UPDATE REFERENCES TO MENTAL RETARDATION *(D. Hogue)*
Read for the first time and referred to the Rules Committee 520
Assigned to standing committee 654
Read the second time and placed on the Consent Calendar 721
Read the third time 781
Signed by the President and returned to the House 782

H.J.R. 15 −− JOINT RESOLUTION RAISING PUBLIC AWARENESS OF VITAL ROLE OF PARAEDUCATORS *(R. Menlove)*
Read for the first time and referred to the Rules Committee 520
Assigned to standing committee 552
Amendments 664
Read the second time and placed on Consent Calendar 665
Read the third time 754
Returned to the House 754
Signed by the President and returned to the House 786

H.J.R. 16 −− RESOLUTION URGING CONGRESSIONAL REPEAL OF FEDERAL EXCISE TAX ON TELECOMMUNICATIONS *(L. Christensen)*
Read for the first time and referred to the Rules Committee 530

Assigned to standing committee 553
Committee report adopted and placed on calendar 622
Enacting Clause Stricken 996

H.J.R. 23 −− RESOLUTION SUPPORTING WORKING FAMILIES ECONOMIC DEVELOPMENT INITIATIVE *(T. Cosgrove)*
Read for the first time and referred to the Rules Committee 587
Assigned to standing committee 655
Returned to the Rules Committee 742
Placed on calendar 896
Read the second and third time 925
Signed by the President and returned to the House 926

H.J.R. 25 −− STATE TRANSPORTATION EMPOWERMENT RESOLUTION *(A. Tilton)*
Read for the first time and referred to the Rules Committee 808
Enacting Clause Stricken 994

H.J.R. 26 −− RESOLUTION URGING CONGRESS TO APPROPRIATE ADEQUATE FUNDS FOR MEDICARE PRESCRIPTION DRUG COVERAGE COUNSELING *(T. Cosgrove)*
Read for the first time and referred to the Rules Committee 662
Assigned to standing committee 679
Referred to Rules Committee for interim study 767
Enacting Clause Stricken 994

H.J.R. 30 −− UTAH ATHLETIC FOUNDATION RESOLUTION *(D. Ure)*
Read for the first time and referred to the Rules Committee 780
Placed on calendar 933
Read the second time 983
Amendments 983
Read the second and third time 984
Returned to the House 984
Enacting Clause Stricken 994

FINAL ACTION INDEX

ALL SENATE BILLS

AND RESOLUTIONS

2006 GENERAL SESSION

FIFTY−SIXTH LEGISLATURE

January 16 through March 1, 2006

S.B. 1 **Supplemental Appropriations Act** L. Hillyard
Governor Signed on 3/22/2005
Effective Date: 5/2/2005 Chapter: 305

S.B. 1 **State Agency and Higher Education Base Budget Appropriations** L. Hillyard
Governor Signed on 2/3/2006
Effective Date: 7/1/2006

S.B. 2 **Executive Compensation Amendments** L. Hillyard
Senate/ filed on 3/1/2006

S.B. 3 **Minimum School Program Base Budget Amendments** H. Stephenson
Governor Signed on 2/13/2006
Effective Date: 7/1/2006

S.B. 4 **New Fiscal Year Supplemental Appropriations Act** L. Hillyard
Governor Line Item Veto on 3/21/2006
Effective Date: 7/1/2006

S.B. 5 **Amendments to the Minimum School Program Budget** H. Stephenson
Governor Signed on 3/21/2006
Effective Date: 7/1/2006

S.B. 6 **Health and Human Services Sunset and Reporting Amendments** A. Christensen
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 7 **Child Protection Amendments** G. Bell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 8 **Care of Students with Diabetes in School** P. Arent
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 9 **Open and Public Meetings Act Revisions** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 10 **Provisional Ballot Amendments** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 11 **Election Code Revisions** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 12 **Electronic Meeting Amendment** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 13 **Commercial Driver License Amendments** S. Killpack
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 14 **Insurance Department − Sunset Amendments and Revisions** S. Jenkins
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 15 **Grama Appeals Process and Document Request Amendments** D. Thomas
Senate/ filed on 3/1/2006

S.B. 16 **Civil Antitrust Amendments** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 17 **Highway Transfer Process Amendments** C. Walker
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 18 **Driving Under the Influence Amendments** C. Walker
Governor Signed on 3/20/2006
Effective Date: 5/1/2006

S.B. 19 **Amendments to Indoor Clean Air Act** M. Waddoups
Governor Signed on 3/16/2006
Effective Date: 5/1/2006

S.B. 20 **Repeal of Utah Digital Signature Act** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 21 **Employment Security Amendments** J. Hickman
Governor Signed on 3/10/2006
Effective Date: 7/1/2006

S.B. 22 **Department of Community and Culture Amendments** P. Knudson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 23 **Office of Museum Services** P. Arent
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 24 **Weapons Amendments** M. Madsen
Senate/ filed on 3/1/2006

S.B. 25 **Coordination with Tribal Leaders Amendments** B. Evans
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 26 **Administrative Rules Reauthorization** H. Stephenson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 27 **Lake Powell Pipeline Development Act** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 28 **Sales and Use Tax − Exemption for Isolated or Occasional Sales** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 29 **Sales and Use Tax Exemption − Telecommunications** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 30 **Sales and Use Tax Exemption for Semiconductor Fabricating, Processing, Research, or Development Materials** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 31 **Sales and Use Tax − Manufacturing and Industry Exemptions Amendments** H. Stephenson
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 32 **Multi−channel Video or Audio Service Tax − County or Municipality Franchise Fee Tax Credit** B. Goodfellow
Senate/ filed on 3/1/2006

S.B. 33 **Sales and Use Tax Exemptions and Refund for Certain Business Inputs** H. Stephenson
Senate/ filed on 3/1/2006

S.B. 34 **Gross Receipts Tax Amendments, Repeal and Public Utility Tariffs** M. Dmitrich
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 35 **Local Option Sales and Use Tax Distribution Amendments** G. Bell
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 36 **School Districts − Limited Amendments to Truth in Taxation** M. Dmitrich
Governor Signed on 3/10/2006
Effective Date: 1/1/2007

S.B. 37 **Income Tax − Taxation of Individuals, Estates, and Trusts** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 38 **Individual Income Taxation of Certain Trust Distributions** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 39 **General Fund Surplus Appropriation for Water Development Projects** L. Hillyard
Senate/ enacting clause struck on 3/1/2006

S.B. 40 **Mine Safety and Certificate Amendments** M. Dmitrich
Governor Signed on 2/20/2006
Effective Date: 2/20/2006

S.B. 41 **Restrictions on Use of Physician Disclosures** D. Thomas
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 42 **Amendments Prohibiting Health Insurance Discrimination** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 43 **Minimum Wage Amendments** E. Mayne
Senate/ enacting clause struck on 3/1/2006

S.B. 44 **Home Inspection Standards** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 45 **Oil and Gas Conservation Account Amendments** M. Dmitrich
Senate/ filed on 3/1/2006

S.B. 46 **Utah Coal Regulator Program Amendments** M. Dmitrich
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 47 **Restoration of Voting Rights Amendments** B. Goodfellow
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 48 **School Nurses Legislative Study** E. Mayne
Senate/ filed on 3/1/2006

S.B. 49 **School Community Council Amendments** P. Arent
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 50 **Jail Funding Amendments** D. Thomas
Governor Signed on 3/10/2006
Effective Date: 7/1/2006

S.B. 51 **Driving with a Controlled Substance in the Body − Amendments** C. Walker
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 52 **Antiphishing Provisions** P. Arent
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 53 **Adult Protective Services Amendments** A. Christensen
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 54 **Revenue Flow from Speeding Violations** J. Hickman
Senate/ filed on 2/28/2006

S.B. 55 **Election Reform** L. Mansell
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 56 **Secondary School Amendments** D. Buttars
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 57 **Telehealth for Rural Utah** B. Evans
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 58 **Alcoholic Beverage Amendments − Eliminating Alcohol Sales to Youth** P. Knudson
Governor Signed on 3/20/2006
Effective Date: 7/1/2006

S.B. 59 **Purchasing from People with Disabilities Amendments** S. Killpack
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 60 **Western States Presidential Primary** P. Knudson
Governor Signed on 3/21/2006
Effective Date: 5/1/2006

S.B. 61 **Uniform Mediation Act** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 62 **Judicial Conduct Commission Amendments** M. Waddoups
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 63 **License Plate Amendments** D. Eastman
Senate/ enacting clause struck on 3/1/2006

S.B. 64 **Legislative Compensation Commission Amendments** G. Bell
Senate/ enacting clause struck on 3/1/2006

S.B. 65 **Wildland Fire Suppression Amendments** D. Thomas
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 66 **Price Controls During Emergencies Amendments** P. Arent
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 67 **Conservation Easement Restricted Accounts** B. Evans
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 68 **Plumbing License Qualifications Amendments** P. Hellewell
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 69 **Protection of Information in Consumer Credit Databases** C. Walker
Governor Signed on 3/20/2006
Effective Date: 1/1/2007

S.B. 70 **Process for Approval of Waste Disposal Amendments** H. Stephenson
Senate/ filed on 3/1/2006
Effective Date: 5/1/2006

S.B. 71 **Consumer Credit Protection** C. Walker
Governor Signed on 3/20/2006
Effective Date: 9/1/2008

S.B. 72 **Home School and Dual Enrollment Amendments** M. Madsen
Senate/ filed on 3/1/2006

S.B. 73 **Personal Use of Campaign Funds** K. Hale
Senate/ enacting clause struck on 3/1/2006

S.B. 74 **Privatization of Government Functions Task Force** H. Stephenson
Senate/ filed on 3/1/2006

S.B. 75 **U Star Initiative** L. Mansell
Governor Signed on 3/13/2006
Effective Date: 7/1/2006

S.B. 76 **Lenders Registration Acts Amendments** E. Mayne
Senate/ filed on 3/1/2006

S.B. 77 **Classification and Inspection of Records Under Grama** M. Madsen
Senate/ enacting clause struck on 3/1/2006

S.B. 78 **Alternative School Building Plans** D. Buttars
Senate/ enacting clause struck on 3/1/2006

S.B. 79 **Uniform Debt−Management Services Act** L. Hillyard
Governor Signed on 3/15/2006
Effective Date: 7/1/2007

S.B. 80 **Public−private Partnerships for Tollway Facilities** S. Killpack
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 84 **Nonprofit Entity Amendments** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 85 **State−owned Art Collections Inventory Program** B. Evans
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 86 **Amendments to Child Care** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 88 **Disclosure of Driver License Records** M. Madsen
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 89 **Sales and Use Tax − Attachment of Tangible Personal Property to Real Property** H. Stephenson
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 90 **Homeowners Association Provisions** J. Hickman
Senate/ enacting clause struck on 3/1/2006

S.B. 91 **Regulation of Restraint, Seclusion, and Emergency Medication** T. Hatch
Senate/ enacting clause struck on 3/1/2006

S.B. 92 **Certification of Crane Operators** G. Davis
Governor Signed on 3/13/2006
Effective Date: 7/1/2007

S.B. 93 **Boiler and Elevator Safety Provisions** E. Mayne
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 94 **Amendments to Utah Comprehensive Health Insurance Pool** G. Davis
Senate/ filed on 3/1/2006

S.B. 95 **Psychologist Licensing Act Amendments** E. Mayne
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 96 **Public Education − Instruction and Policy Relating to the Origins of Species** D. Buttars
Senate/ filed on 2/27/2006

S.B. 97 **Student Club Amendments** D. Buttars
Senate/ filed on 3/1/2006

S.B. 98 **Safety Belt Enforcement Amendments** K. Hale
Senate/ filed on 3/1/2006

S.B. 99 **County Recorder Amendments** D. Thomas
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 100 **County Officer Amendments** D. Thomas
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 101 **County Assistance to Nonprofit Entities** D. Thomas
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 102 **Gifts to Public Officials** G. Bell
Senate/ enacting clause struck on 3/1/2006

S.B. 103 **Prohibition of Contingent Fees for Expert Witnesses** D. Thomas
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 104 **Prescribing Practices for Schedule II Drugs** P. Knudson
Senate/ enacting clause struck on 3/1/2006

S.B. 105 **County Officer Revisions** C. Walker
Senate/ enacting clause struck on 3/1/2006

S.B. 106 **Uniform Interstate Enforcement of Domestic Violence Protection Orders Act** L. Hillyard
Governor Signed on 3/15/2006
Effective Date: 7/1/2006

S.B. 107 **Title to Manufactured Housing or Mobile Homes** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 108 **Ethics in Dental Advertising** P. Knudson
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 109 **Uniform Commercial Code − Warehouse Receipts, Bills of Lading, and Other Documents of Title** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 110 **Protection of Certain Voter Information** L. Hillyard
Senate/ enacting clause struck on 1/31/2006

S.B. 111 **Water Conservancy District Amendments** T. Hatch
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 112 **Centers of Excellence Amendments** T. Hatch
Governor Signed on 3/21/2006
Effective Date: 5/1/2006

S.B. 113 **Governmental Immunity Limits** H. Stephenson
Governor Signed on 3/21/2006
Effective Date: 7/1/2007

S.B. 114 **Producer and Affiliate Disclosure Amendments** B. Evans
Senate/ filed on 3/1/2006

S.B. 115 **Continuing Education in Insurance** T. Hatch
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 116 **Department of Financial Institution's Fees** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 117 **Eminent Domain Amendments** H. Stephenson
Governor Signed on 3/21/2006
Effective Date: 5/1/2006

S.B. 118 **Driving by Minors Amendments** K. Hale
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 119 **Repeal of Off-highway Vehicle Registration Number** T. Hatch
Governor Signed on 3/15/2006
Effective Date: 7/1/2006

S.B. 120 **Governor's Rural Partnership Board Amendments** T. Hatch
Senate/ filed on 3/1/2006

S.B. 121 **Small College Enhancements** J. Hickman
Senate/ filed on 3/1/2006

S.B. 122 **Repeal of Libel Provisions** S. McCoy
Senate/ filed on 3/1/2006

S.B. 123 **Utah Consumer Credit Code Amendments** P. Knudson
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 124 **Alcohol Beverage Control Amendments** P. Knudson
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 125 **Malik's Law − Homicide Amendment** F. Fife
Senate/ enacting clause struck on 3/1/2006

S.B. 126 **Transportation of Children in Kindergarten Through Sixth Grade** E. Mayne
Senate/ enacting clause struck on 3/1/2006

S.B. 127 **Vacating or Changing a Subdivision Plat** P. Knudson
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 128 **Revolving Credit Line Trust Deed** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 129 **Motor Vehicle Registration Amendments** S. Killpack
Governor Signed on 3/15/2006
Effective Date: 1/1/2007

S.B. 130 **Joint Tenancy Amendments** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 131 **Authorization of Opinion Questions to Voters** E. Mayne
Senate/ enacting clause struck on 3/1/2006

S.B. 132 **Surplus Property Amendments** P. Knudson
Governor Signed on 2/24/2006
Effective Date: 2/24/2006

S.B. 133 **Liability Protections for Charity Care** P. Knudson
Senate/ enacting clause struck on 3/1/2006

S.B. 134 **Lien Duration of a Foreign Judgment** T. Hatch
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 135 **Inherent Risk of Skiing Amendments** L. Hillyard
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 136 **Tax on Insurance Premiums** C. Bramble
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 137 **Business Organization and Division of Corporations and Commercial Code Amendments** G. Bell
Governor Signed on 3/13/2006
Effective Date: 5/1/2006

S.B. 138 **Traffic Tickets and Convictions** D. Buttars
Senate/ enacting clause struck on 3/1/2006

S.B. 139 **Reportable Transactions Act** H. Stephenson
Governor Signed on 3/17/2006
Effective Date: 1/1/2007

S.B. 140 **Unlawful Outdoor Advertising Amendments** M. Waddoups
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 141 **Response to HIPAA Changes** P. Knudson
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 142 **Information Available to Senate Judicial Confirmation Committee** D. Buttars
Senate/ filed on 3/1/2006

S.B. 143 **Revisor's Statute** M. Waddoups
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 144 **Child Care Exemptions Amendments** P. Hellewell
Senate/ enacting clause struck on 3/1/2006

S.B. 145 **Regulation of Direct Pathology Billing** G. Bell
Senate/ filed on 3/1/2006

S.B. 146 **Physician Assistants and Public Health Amendments** G. Bell
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 147 **Division of Consumer Protection Amendments** D. Eastman
Governor Signed on 3/10/2006
Effective Date: 3/10/2006

S.B. 148 **Punitive Damages − Discovery of Wealth** G. Bell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 149 **Providing for Indigent Defense** G. Bell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 150 **Restitution Amendments** G. Bell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 151 **Property Tax − Notice and Hearing Amendments** G. Bell
Senate/ enacting clause struck on 3/1/2006

S.B. 152 **Medicaid Task Force** S. Killpack
Senate/ filed on 3/1/2006

S.B. 153 **Uniform Environmental Covenants Act** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 154 **Sales and Use Tax Exemption for Certain Admissions to or Rights to Use the Premises of a Private Club** M. Dmitrich
Senate/ filed on 3/1/2006

S.B. 155 **Amendments to County and Municipal Land Use Provisions** G. Bell
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 156 **Legislative Direction Relating to United States Senators** H. Stephenson
Senate/ filed on 3/1/2006

S.B. 157 **Impact of Administrative Rules on Small Businesses** H. Stephenson
Senate/ filed on 3/1/2006

S.B. 158 **Administrative Rulemaking Authority Amendments** H. Stephenson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 159 **District Court Judge** M. Madsen
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 160 **Physician Licensing Amendments** B. Evans
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 161 **Mechanics' Lien and Payment Amendments** S. Jenkins
Governor Signed on 3/16/2006
Effective Date: 1/1/2007

S.B. 162 **Department of Financial Institutions Enforcement of Applicable Law** L. Hillyard
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 163 **Statement Under Penalty of Perjury** S. McCoy
Senate/ filed on 3/1/2006

S.B. 164 **Repeal of Ordination by Internet** G. Davis
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 165 **Corporations − Professional Services Amendment** L. Hillyard
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 166 **Moratorium on Issuing Sales Tax Revenue Bonds by Local Governments** L. Hillyard
Senate/ enacting clause struck on 3/1/2006

S.B. 167 **Juvenile Offenses − Diversion Amendment** P. Arent
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 168 **Community Association Act Amendments** M. Waddoups
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 169 **Sales and Use Tax − Dental Prostheses** P. Knudson
Senate/ filed on 3/1/2006

S.B. 170 **Local Government Land Use and Impact Fee Revisions** L. Mansell
Senate/ enacting clause struck on 3/1/2006

S.B. 171 **Judiciary Amendments** L. Hillyard
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 172 **Vital Statistics Act Amendments** T. Hatch
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 173 **Licensure of Programs and Facilities − Criminal Background Check Amendments** T. Hatch
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 174 **In−state Tuition for Members of Utah National Guard** P. Knudson
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 175 **Correctional Facility Bidding Process** H. Stephenson
Senate/ filed on 3/1/2006

S.B. 176 **Contact Lens Consumer Protection Act** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 177 **Water Right Application Amendment** T. Hatch
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 178 **State Executive Compensation − Department of Health** P. Knudson
Governor Signed on 3/13/2006
Effective Date: 3/13/2006

S.B. 179 **Amendments to Sales and Use Tax Exemptions for Certain Vehicles, Boats, Boat Trailers, and Outboard Motors** H. Stephenson
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 180 **Motor Vehicle Lease Agreements** M. Madsen
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 181 **Restoration of Felon's Right to Hold Office** P. Hellewell
Senate/ enacting clause struck on 2/13/2006

S.B. 182 **Direct Sales Amendments** M. Madsen
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 183 **Utah Emergency Medical Services Act Amendments** D. Eastman
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 184 **Criminal Identity Fraud Amendments** C. Walker
Governor Signed on 3/20/2006
Effective Date: 5/1/2006

S.B. 185 **Drug Offender Reform Act Amendments** S. Killpack
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 186 **Revocation of Death Benefits by Divorce** K. Hale
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 187 **Science and Technology Education Program** P. Knudson
Governor Signed on 3/10/2006
Effective Date: 7/1/2006

S.B. 188 **Private Investigator Regulation Act Amendments** P. Hellewell
Senate/ filed on 3/1/2006

S.B. 189 **Constitutional Revision Commission Amendments** P. Knudson
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 190 **Shared Government Records Amendments** M. Dmitrich
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 191 **Service Contracts Act Amendments** M. Waddoups
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 192 **Exemptions to Residential Property Tax** E. Mayne
Senate/ enacting clause struck on 3/1/2006

S.B. 193 **Speed Contest or Exhibition Amendments** K. Hale
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 195 **Child Support Guidelines** G. Bell
Senate/ filed on 3/1/2006

S.B. 196 **Revisions to Redevelopment Agency Provisions** C. Bramble
Governor Signed on 3/21/2006
Effective Date: 5/1/2006

S.B. 198 **Property Tax − Intangible Property** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 199 **School Community Council Powers** M. Madsen
Senate/ enacting clause struck on 3/1/2006

S.B. 200 **Voter Registration − Proof of Citizenship** M. Madsen
Senate/ enacting clause struck on 3/1/2006

S.B. 201 **Anticamcorder Piracy** G. Bell
Senate/ filed on 3/1/2006

S.B. 202 **Use of Oil and Gas Tax Revenues** L. Hillyard
Senate/ filed on 3/1/2006

S.B. 203 **Telephone Solicitation Amendments** P. Hellewell
Senate/ enacting clause struck on 3/1/2006

S.B. 204 **High School Graduation Amendments** M. Madsen
Senate/ filed on 3/1/2006

S.B. 205 **Real Property − Partial Release or Partial Reconveyance** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 206 **Child Protection Registry Amendments** M. Dmitrich
Senate/ filed on 3/1/2006

S.B. 207 **Presumptive Personal Representative** G. Bell
Senate/ filed on 3/1/2006

S.B. 208 **Reporting of Tax Information** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 209 **Waste Fee Amendments** D. Eastman
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 210 **Eminent Domain Changes** S. Jenkins
Senate/ enacting clause struck on 3/1/2006

S.B. 212 **Veteran Survivor and Dependent Higher Education Benefit** S. McCoy
Senate/ filed on 3/1/2006

S.B. 213 **Clarifications to Guardian Ad Litem** D. Eastman
Senate/ filed on 3/1/2006

S.B. 214 **Office of State Debt Collection Amendments** P. Knudson
Governor Signed on 3/10/2006
Effective Date: 7/1/2006

S.B. 215 **Electronic Waste Task Force and Moratorium on Electronic Waste Disposal** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 216 **Children's Justice Center Funding** D. Buttars
Senate/ enacting clause struck on 3/1/2006

S.B. 217 **School and Institutional Trust Lands Amendments** T. Hatch
Senate/ enacting clause struck on 3/1/2006

S.B. 220 **Tie Bids − Preference for In−state Commodities** D. Peterson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 221 **Levies for the Assessment and Collection of Property Taxes** H. Stephenson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 222 **Outdoor Advertising − Height Adjustment of Signs** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 224 **Motor Vehicle Insurance Amendments** S. Killpack
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 225 **Payment of Tax or Bonding in Tax Cases** H. Stephenson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 226 **Registration and Title Provisions** D. Eastman
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 227 **Responsibilities of Public Transit Districts** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 228 **Special Revenue Fund for Salinity Offset Program** P. Knudson
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 229 **Civil Service Commissions** S. Jenkins
Governor Signed on 3/16/2006
Effective Date: 5/1/2006

S.B. 230 **Personal Property and Personal Injury Claim** G. Bell
Senate/ enacting clause struck on 3/1/2006

S.B. 232 **Amendments to Pete Suazo Athlete Commission** E. Mayne
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 233 **Sales and Use Tax Revisions** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 7/1/2006

S.B. 234 **Servicing of Heating or Cooling Duct Systems** P. Hellewell
Governor Signed on 3/10/2006
Effective Date: 5/1/2006

S.B. 236 **Revenue Bond and Capital Facilities Authorizations and General Obligation Bond Authorization Amendments** J. Hickman
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 240 **Temporary Medicaid Certification of Nursing Home Beds** G. Davis
Governor Signed on 3/15/2006
Effective Date: 3/15/2006

S.B. 241 **Natural Resources Development** M. Dmitrich
Governor Signed on 3/20/2006
Effective Date: 5/1/2006

S.B. 242 **Tax Revisions** C. Bramble
Senate/ filed on 3/1/2006

S.B. 244 **Business Resource Centers** P. Knudson
Senate/ filed on 3/1/2006

S.B. 245 **Redevelopment Agency Amendments** C. Bramble
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 246 **County Director of Personnel Management Amendments** T. Hatch
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 247 **Hill Air Force Base Museum Funding** A. Christensen
Senate/ filed on 3/1/2006

S.B. 249 **County Government Amendments** D. Peterson
Governor Signed on 3/15/2006
Effective Date: 5/1/2006

S.B. 252 **Consumer Credit Code Amendments** C. Bramble
Governor Signed on 3/15/2006
Effective Date: 3/15/2006

S.B. 254 **Campaign Finance and Reporting Amendments** C. Bramble
Senate/ enacting clause struck on 3/1/2006

S.B. 256 **Transit Security Amendments** C. Bramble
Governor Signed on 3/20/2006
Effective Date: 5/1/2006

S.B. 258 **Revenue Bonds − Auditing of Public−private Contracts** C. Bramble
Senate/ filed on 3/1/2006

S.B. 259 **Electronic Voting − Vote Count Audit Committee** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.B. 260 **Capitol Preservation Board Revisions** B. Evans
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 264 **DNA Exoneration Testing** D. Buttars
Senate/ enacting clause struck on 3/1/2006

S.B. 267 **Changes to Local Government Provisions** L. Mansell
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 268 **Property Rights Ombudsman** L. Mansell
Governor Signed on 3/17/2006
Effective Date: 5/1/2006

S.B. 269 **Securities Amendments** C. Bramble
Senate/ filed on 3/1/2006

S.B. 270 **Individual Income Tax Revisions** T. Hatch
Senate/ enacting clause struck on 3/1/2006

S.C.R. 1 **Resolution Encouraging School Boards to Adopt Policy Prohibiting Bullying** P. Arent
Governor Signed on 3/17/2006
Effective Date: 3/17/2006

S.C.R. 2 **Resolution Urging Development of Offshore Energy Resources** T. Hatch
Senate/ enacting clause struck on 3/1/2006

S.C.R. 3 **Concurrent Resolution Honoring America's Military War Dogs** E. Mayne
Senate/ filed on 3/1/2006

S.C.R. 4 **Concurrent Resolution Supporting Goshute Tribe** D. Peterson
Senate/ enacting clause struck on 3/1/2006

S.C.R. 5 **Resolution Opposing Transport and Storage of Spent Nuclear Fuel** P. Knudson
Senate/ filed on 3/1/2006

S.J.R. 1 **Resolution Approving Reappointment of Director of Legislative Research and General Counsel** P. Knudson
Senate/ to Lieutenant Governor on 3/8/2006
Effective Date: 2/8/2006

S.J.R. 2 **Resolution Enlarging Revenues and Assets in State Trust Fund** L. Hillyard
Senate/ filed on 3/1/2006

S.J.R. 3 **Interim Rules Resolution − Quorum Requirements** M. Waddoups
Senate/ to Lieutenant Governor on 2/8/2006
Effective Date: 1/25/2006

S.J.R. 4 **Interim Rules Resolution − Committee Powers** M. Waddoups
Senate/ to Lieutenant Governor on 2/8/2006
Effective Date: 1/25/2006

S.J.R. 5 **Joint Resolution Condemning Use of Torture** S. McCoy
Senate/ enacting clause struck on 3/1/2006

S.J.R. 6 **Resolution Approving Compensation of In−session Employees** M. Waddoups
Senate/ to Lieutenant Governor on 3/9/2006
Effective Date: 2/1/2006

S.J.R. 7 **Joint Rules Resolution Amending Legislative Expenses** G. Bell
Senate/ enacting clause struck on 3/1/2006

S.J.R. 8 **Resolution Submitting Minimum Wage Question to the Voters** E. Mayne
Senate/ enacting clause struck on 3/1/2006

S.J.R. 9 **Resolution Recognizing Right to Participate in Religious Expressions in Public Schools** P. Hellewell
Senate/ to Lieutenant Governor on 3/10/2006
Effective Date: 3/1/2006

S.J.R. 10 **Master Study Resolution** P. Knudson
Senate/ filed on 3/1/2006

S.R. 1 **Senate Rules Resolution − Consent Calendar Amendments** M. Waddoups
Senate/ to Lieutenant Governor on 2/1/2006
Effective Date: 1/19/2006

S.R. 2 **Resolution Encouraging Utah Schools to Educate Children Regarding Risks of Sun Exposure** P. Arent
Senate/ to Lieutenant Governor on 3/7/2006
Effective Date: 2/8/2006

S.R. 3 **Resolution Urging Participation by Taiwan in World Health Organization** C. Bramble
Senate/ to Lieutenant Governor on 3/7/2006
Effective Date: 2/21/2006

COMMITTEES OF THE WHOLE INDEX
2006 General Session

Phyllis Caruth, Chair, Martin Luther King Jr. Human Rights Commission . . 96
Shanua Graves−Robertson, Salt Lake County Justice Court 96
Chief Justice Christine Durham 98
Judge George M Harmond, Jr. 106
Congressman Jim Matheson 232
Attorney General Mark Shurtleff 253
Riley Nelson, Logan High football team member 272
Coach Mike Favero, Logan High School 272
Congressman Chris Cannon 355
Congressman Rob Bishop 373
Former State Senator David Watson 387
Bishop George H. Niederauer of the Salt Lake Catholic Diocese 411
General Kevin Sullivan, Ogden Air Logistics Center Commander 529
Mark W. P. Liao, Director General, Taipei Economic and Cultural Office . 723
Scott Soulier 746
Senator Robert Bennett 781
Lt. Col. Larry Schmidt, Utah National Guard 773
Senator Orrin Hatch 785

STATE OF UTAH

SENATE JOURNAL

EIGHTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, April 19, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Eighth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Eighth Extraordinary Session convening on Wednesday, April 19, 2006, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

EIGHTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Eighth Extraordinary Session at 12:00 noon on Wednesday, April 19, 2006.

The Senate was called to order at 12:30 p.m. with President John Valentine presiding.

Prayer − Senator Dan Eastman

Pledge − Senator Carlene Walker

Annette Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2006 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Eighth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 19th day of April, 2006 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2006 General Session of the 56th Legislature of the State of Utah.

IN TESTIMONY WHEREOF,I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 4th day of April, 2006.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of April 4, 2006, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Eighth Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 19th day of April, 2006, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 2006 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 18th day of April, 2006.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Arent and Mayne excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2006 General Session of the Fifty−Sixth Legislature as the rules for the Eighth Extraordinary Session.

President Valentine appointed a committee comprised of Senators Sheldon Killpack, Mark Madsen and Fred Fife to notify the Governor's representative that the Senate is convened in the Eighth Extraordinary Session in accordance with his proclamation.

Senator Killpack advised the Senate that the Governor's representative has been notified of the convening of the Eighth Extraordinary Session.

Leslie McLean read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: February 22, 2006

In accordance with Utah Code 67−1−1 and 67−1−2 (2004), I propose and transmit the following appointment:

THIRD JUDICIAL DISTRICT COURT

Mark S. Kouris is appointed as a Judge of the Third District Court. See Utah Const. art. VIII 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

CONFERENCE COMMITTEE REPORT

Mr. President: March 29, 2006

The Senate Judicial Confirmation Committee met on both March 29 and April 19, 2006, and unanimously reports a favorable recommendation for Mr. Mark S. Kouris to be confirmed to the position of District Court Judge in the Third Judicial District.

D. Chris Buttars, Chair

Senators Buttars and Hillyard commented.

On motion of Senator Hillyard, the Senate voted to approve the committee report on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Arent	Hale	Hatch	Madsen
Mansell	Mayne	McCoy	Stephenson

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Judge Mark S. Kouris spoke in Committee of the Whole. Senator Hickman commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE GOVERNOR

Mr. President: April 5, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

College of Eastern Utah Board of Trustees:

Christine Watkins is appointed to replace Stacy Himonas as a member of the College of Eastern Utah Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah Board of Water Resources:

Craig E. Johansen is appointed to replace George W. Harmond, Jr. as a member of the Utah Board of Water Resources, a term to expire March 1, 2007. See Utah Code Ann. 73−10−2. Mr. Johansen is a Democrat.

Rural Development Fund Board:

Sherwood Albrecht is reappointed as a member of the Rural Development Fund Board, a term to expire January 1, 2010. See Utah Code Ann. 9−14−103.

Lowell Mecham is appointed to replace Janet Oldham as a member of the Rural Development Fund Board, a term to expire January 1, 2010. See Utah Code Ann. 9−14−103.

Central Utah Water Conservancy District Board of Directors:

Harley M. Gillman is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Rondal R. McKee is reappointed as a member of the Central Utah Water Conservancy District Board of Directors, a term to expire January 31, 2010. See Utah Code Ann. 17A−2−1409.

Youth Parole Authority:

Lynn J. Stewart is appointed to replace Alvin Emery as a member of the Youth Parole Authority, a term to expire April 1, 2009. See Utah Code Ann. 62A−7−501.

Telecommunications Advisory Council:

Ted Boyer is appointed to replace Stephen F. Mecham as a member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

Lyle McMillan is appointed to replace Neal F. Christensen as a member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

J. Stephen Fletcher is appointed to replace W. Val Oveson as member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

Constance B. White is appointed to replace Lowell E. Alt as a member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

Doug Richins is reappointed as a member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

Michael A. Peterson is reappointed as a member of the Telecommunications Advisory Council. See Utah Code Ann. 72−7−109.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate, pursuant to Section 67−1−2 of the Utah Code, voted to waive the 15−day requirement on the submittal dated April 5, 2006, for the purposes of acting on the gubernatorial nominees.

Senator Hillyard moved to consent to the appointments as read by Leslie McLean. The motion passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Peterson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Arent	Hale	Hatch	Madsen
Mansell	Mayne	McCoy	Stephenson

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Killpack reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 12:50 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

NINTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, May 17, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Ninth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Ninth Extraordinary Session convening on Wednesday, May 17, 2006, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

NINTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Ninth Extraordinary Session at 12:00 noon on Wednesday, May 17, 2006.

The Senate was called to order at 12:30 p.m. with President John Valentine presiding.

Prayer − Senator Curtis Bramble

Pledge − Senator David Thomas

Annette Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2006 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Ninth Extraordinary Session at the State Capitol Complex in Salt Lake City, Utah, on the 17th day of May, 2006 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2006 General Session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 2nd day of May, 2006.

Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of May 2, 2006, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into a Ninth Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 17th day of May, 2006, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 2006 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 16th day of May, 2006.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators McCoy, Waddoups, Peterson, Bell, and Hellewell, excused.

On motion of Senator Knudson, the Senate voted to adopt the Senate Rules of the 2006 General Session of the Fifty−Sixth Legislature as the rules for the Ninth Extraordinary Session.

President Valentine appointed a committee comprised of Senators Allen Christensen, Howard Stephenson, and Karen Hale to notify the Governor's representative that the Senate is convened in the Ninth Extraordinary Session in accordance with his proclamation.

Senator Christensen advised the Senate that the Governor's representative has been notified of the convening of the Ninth Extraordinary Session.

Annette Moore read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: May 4, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Salt Lake Community College Board of Trustees:

Larry Hancock is appointed to replace Mary Bangerter as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah State Board of Education:

Denis Morrill is appointed to replace Gary Swenson as a member of the Utah State Board of Education, a term to expire December 31, 2006. See Utah Code Ann. 20A−1−507.

Utah Valley State College Board of Trustees:

Jason E. Chaffetz is appointed to replace Michael Mower as a member of the Utah Valley State College Board of Trustees, a term to expire June 30, 2007. See Utah Code Ann. 53B−2−104.

Private Activity Bond Review Board:

Kyle Kershaw is appointed as a member of the Private Activity Bond Review Board, a term to expire April 20, 2010. See Utah Code Ann. 9−4−503.

Utah Athletic Foundation Board of Directors:

Representative Dave Ure is appointed as a member of the Utah Athletic Foundation Board of Directors, a term to expire April 30, 2009. In accordance with H.J.R. 25 adopted during the 2002 General Session of the Utah Legislature.

Senator Al Mansell is appointed as a member of the Utah Athletic Foundation Board of Directors, a term to expire April 30, 2009. In accordance with H.J.R. 25 adopted during the 2002 General Session of the Utah Legislature.

Board of Substance Abuse and Mental Health:

Louis A. Callister is appointed to replace Cameron Cuch as a member of the Board of Substance Abuse and Mental Health, a term to expire September 1, 2006. See Utah Code Ann. 62A−15−106.

School and Institutional Trust Lands Board of Trustees:

John R. Scales is appointed to replace Ross Matthews as a member of the School and Institutional Trust Lands Board of Trustees, a term to expire June 30, 2011. See Utah Code Ann. 53C−1−202.

Michael Rex Brown is appointed to replace Vernal J. Mortensen as a member of the School and Institutional Trust Lands Board of Trustees, a term to expire June 30 2012. See Utah Code Ann. 53C−1−202.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate, pursuant to Section 67−1−2 of the Utah Code, voted to waive the 15−day requirement on the submittal dated May 4, 2006, for the purposes of acting on the gubernatorial nominees.

Senator Hillyard moved to consent to the appointments as read by Annette Moore. The motion passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Fife
Goodfellow	Hale	Hatch	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mayne	Stephenson	Thomas
Walker	Valentine		

Absent or not voting were: Senators

Bell	Evans	Hellewell	Mansell
McCoy	Peterson	Waddoups	

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Christensen reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 12:40 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

THIRD SPECIAL SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on Wednesday, May 24, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Third Special Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Third Special Session convening on Wednesday, May 24, 2005, and adjourning sine die the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

SENATE JOURNAL

THIRD SPECIAL SESSION of the FIFTY−SIXTH LEGISLATURE

May 24, 2006

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr, the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber of the State Capitol Complex in a Special Session at 2:00 p.m. on Wednesday, May 24, 2006.

The Senate was called to order at 2:30 p.m., with President John Valentine presiding.

Prayer − Senator Mark Madsen
Pledge of Allegiance − Senator Greg Bell
Roll Call − All Senators present.

JOINT CONVENTION

A Joint Convention of the Legislature was held in the House Chamber at 11:00 a.m. on May 24, 2006, to hear from President Vicente Fox of Mexico. Representative Alexander moved to have the speech by President Fox printed in the House and Senate Journals.

REMARKS BY PRESIDENT VICENTE FOX OF MEXICO

Honorable Jon Huntsman Jr., Governor of the State of Utah; Senator John L. Valentine, President of the Senate; Representative Greg J. Curtis, Speaker of the House; Distinguished legislative leaders; Members of this Honorable Legislature; Members of the Mexican Delegation; Ladies and Gentlemen:

On behalf of the people and the government of Mexico, a nation which is a partner and a friend of the United States of America, I express my most sincere appreciation for the opportunity to address this joint session of the legislature of Utah.

I bring to the people of this wonderful state, renowned for its natural beauty and rich heritage, the warmest greetings from all Mexicans.

Let this historic occasion mark my country's pledge to a stronger relationship between Mexico and Utah.

Let this historic occasion mark our joint commitment to making this relationship one in which we seek understanding while respecting our differences.....and working together to achieve the prosperity and security of our peoples, as we face the global challenges of the 21st century.

Mexico has long strived to build democracy and economic stability. The road has certainly not been an easy one, but every single step has been worth it. And today, our 103 million people live next door to you in peace and freedom.

Consider just how far we have come in six short years. Today your neighbor is a Mexico with free and fair elections; a Mexico with clear separation of power among the branches of government; a Mexico with the utmost respect for the rule of law, freedom of religion and freedom of speech; with government accountability and transparency as the rule and not the exception.

Today, Mexicans are free to express their opinions...and believe me, they do! If you doubt whether we have achieved freedom of the press in Mexico, I would be glad to read you some of the things they write about us in the Mexican newspapers.

But today we live in a completely different Mexico than we did just six years ago...a Mexico where every citizen has a say in government...a Mexico where those voters require that government serves the people.

Nothing less than a fully democratic Mexico is demanded by its citizens; nothing less than a fully democratic Mexico has been the guiding principle of our administration.

Over the past five years, the promotion of human rights has been a centerpiece of government policy. This policy upholds a human rights culture in Mexico's society and aims at prosecuting all cases of human rights abuse by government authorities.

Moreover, we have opened ourselves to international scrutiny. During my administration, for the first time, Mexico called for the establishment of an office of the United Nations High Commissioner on Human Rights.

In recognition, last week Mexico was elected to preside over the new United Nations Human Rights Council...underscoring our commitment to human rights for all.

But no democracy can flourish fully unless it provides economic freedom..... unless it frees the energy and hard work of its people...unless it unleashes a true entrepreneurial spirit.

Until recently, Mexico was trapped in a vicious cycle of economic crisis. But we have set out to change that...and today, Mexico has the soundest, safest, most stable economy of our lifetimes.

Thanks to a responsible management of public finances, we have achieved an inflation rate of 3.3%, the lowest in thirty−seven years. We have single digit interest rates...and our economy is growing at a healthy 5.3%.

Mexicans want a government that costs less and works better. Our administration's public deficit will be the lowest in thirty years; it will have spent more on improving the lives of our people than any other administration in Mexico's history.

Through the program, "Oportunidades," our federal government's main social program, over five million Mexican families in poverty − some twenty five million poor people − now receive health, education and nutritional support.

Over the last six years, spending on education has increased over 70%...we've put more than a billion books in Mexican classrooms...and today, one of every four students enrolled in our public system receives a scholarship to continue their studies. At the end of my administration, Mexico will be allocating at least 7.5% of its Gross Domestic Product to education.

We have also made progress regarding housing, based on the most ambitious program in Mexico's history.

In 2005 alone, we built 750 thousand houses for the same number of families. In less than six years, more than three million families have gained access to a decent home.

But as many of you know, before I became President of Mexico, I worked in a little small business you might have heard of in the United States...Coca Cola.

As a businessman, I learned that the best social program in the world is a good job at decent wages.

That's a big part of our mission here today...to promote investment, business and trade that create jobs both in Mexico and right here in Utah.

Free trade and investment agreements with over forty countries make Mexico one of the world's most open economies, one which trades over 435 billion dollars a year.

Over the past five years, Mexico has received over 87 billion dollars in Foreign Direct Investment, most of which comes from its North American trading partners, the United States and Canada.

At the same time, Mexico is the second largest trading partner of the U.S., buying more products from this country than Germany, Italy, France and the United Kingdom all combined.

During his visit to Mexico, in July 2005, Governor Huntsman expressed the importance of Mexico as a strategic partner in order to strengthen Utah's economic development and called on Mexican industry to work with an economy that is strong, modern and fast−advancing in sectors such as biotechnology, genetics, software development and medical equipment. He also insisted on the importance of deepening trade and investment ties with Mexico, as well as education and cultural exchange programs. In order to do this, we agreed to create the Utah−Mexico Partnership Working Group. To that end, during the last two days, I have had the opportunity to meet with many of Utah's business and political leaders. We have done business together. We have talked policy together. But more importantly, we have been truly moved by the personal commitment of your leaders to the Mexican people.

Thank you Governor Huntsman.

Dear friends:

Mexico and the United States have a strong, dynamic − and yes − complex relationship. Over the years we have moved away from a notion of distant neighbors to one of the strategic partners. A new democratic government could not produce an old foreign policy. Mexico's redefinition of foreign policy has included a constructive approach towards the United States.

Since the beginning of my administration two important goals have guided our relationship with the United States: furthering the North American Agenda and achieving a better bilateral management of the migration issue between our countries.

In the beginning of the 21st Century, the need for improving our regional competitiveness, and the threat from terrorism and criminal organizations, call upon us to regard regional prosperity and security as two key elements in our shared agenda.

The Security and Prosperity Partnership of North America, created last year by Canada, Mexico, and the United States, seeks to reduce the cost of doing business between our countries, breaking the bottlenecks at the border with more efficient and secure trade corridors eliminating "the tyranny of small difference" between our regulations.

Now, let us talk frankly about our most pressing challenge....and our most promising opportunity.....the key to real security and prosperity of these two neighbors.....migration.

One cannot underestimate the importance of this moment and how complex this issue is for our two nations. Therefore, I wish to clearly state my government's view on this matter.

Since the beginning of my administration, the government of Mexico has promoted the establishment of a new system that regulates the movement of people across our border in a manner which is legal, safe, and orderly. We have pursued this course with the firm conviction that a legal, safe, and orderly migration policy will benefit the security and prosperity of both of our nations. This belief is guided by a principle of shared responsibility, which acknowledges that both countries must do our share in the bilateral management of migration.

Through a joint initiative of the Executive Branch, federal legislators and civic society, a set of principles and recommendations were put forward to update Mexico's migration policy. This position was adopted as a joint resolution by our Congress in February of this year. Allow me to summarize its most important aspects.

1. Mexico does not promote nor support undocumented migration. In fact, Mexico absolutely must continue to expand jobs, economic growth and social opportunities so migration is no longer necessary.

2. Mexico acknowledges the sovereign right of each country to enforce its law and protect its borders but considers, that among friends, neighbors, and partners, bilateral dialogue and cooperation is a key component for the successful management of migration.

3. Mexico must continue to develop and enforce migration laws and policy with full respect for human rights and the safety of citizens on both sides of the border and remains committed to fighting all forms of human smuggling and trafficking. Moreover, Mexico is working together with Mesoamerican countries to uphold these principles.

4. Mexico's migration policy must be adjusted in order to safeguard our borders under the principle of shared responsibility.

5. Mexico believes that it will take more than just enforcement to truly solve the challenges posed by the migration phenomenon, and that a comprehensive reform is in the interest of both nations.

Ladies and gentlemen, as never before, our societies call upon their governments to achieve a better management of migration and our border. Mexico wants to be part of the solution, not part of the problem.

Comprehensive reform will help both countries to concentrate our efforts and resources on addressing our shared security and prosperity concerns. We are your partners in security against terrorism. We are your allies in the war on drugs and crime. We are your partners in the drive for economic prosperity. Let us work together as neighbors and friends.

The United States rightly prides itself as a country whose strength and character comes from its diversity. Mexico is proud of its people here, whose working spirit and moral values contribute everyday to the economy and society of this great nation.

Thank you very much.

* * *

Annette B. Moore read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the adjournment of the 2006 General Session of the Fifty−Sixth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into a Special Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty−Sixth Legislature of the State of Utah into a Third Special Session at the State Capitol Complex in Salt Lake City, Utah, on the 24th day of May 2006, at 2:00 p.m. for the following purposes:

1. To consider a provision authorizing (a) an appropriation of transportation funding, (b) an appropriation of funds from the Division of Housing and Community Development to the Division of Arts and Museums, (c) an appropriation for the Driver License Division, and (d) an appropriation for the Economic Development Incentive Fund;

2. To consider a provision appropriating $2 million in Medicaid funding for emergency dental services for the aged, blind, and disabled;

3. To consider a provision authorizing funds for a parking structure at the State Capitol Complex in an amount not to exceed $15 million;

4. To consider resolutions providing legislative authorization for (a) the receipt of a federal grant by the Utah Department of Natural Resources, and (b) the construction of a maintenance shed by the Utah Department of Transportation on property near Meadow, Utah;

5. To consider legislation authorizing the Utah Tax Commission to share confidential tax data with the Governor's Office of Planning and Budget, the Office of Legislative Fiscal Analyst, and the Office of Legislative Research and General Counsel;

6. To consider legislation requiring reporting of information and addressing causes of action regarding the exchange of securities;

7. To consider legislation to correct the transitional effective date provisions of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act and to make technical corrections to the shelter hearing provisions of the Juvenile Court Act of 1996;

8. To consider legislation authorizing a cost−of−living adjustment for certain executive officers; and

9. To consider legislation to assist retail establishments as they respond to recent changes in Utah's sales−tax system.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah this 22nd day of May, 2006.
Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a proclamation issued on the 22nd day of May, 2006, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Fifty−Sixth Legislature of the State of Utah into a Third Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 24th day of May, 2006, at 2:00 p.m., for the purposes named in the Proclamation, held in conjunction with the Tenth Extraordinary Session of the State Senate.

I FURTHER TESTIFY THAT the membership of the Utah State Senate has not changed from that of the Certification of 2006 General Session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah at Salt Lake City, this 22nd day of May, 2006.
Gary R. Herbert
Lieutenant Governor

* * *

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules and Joint Rules of the 2006 General Session of the Fifty−Sixth Legislature as the rules for the Third Special Session.

President Valentine appointed a committee comprised of Senators Tom Hatch, Dave Thomas, and Fred Fife to notify Governor Jon M. Huntsman, Jr., that

the Senate is convened in the Third Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Valentine appointed a committee comprised of Senators Carlene Walker, Sheldon Killpack, and Patrice Arent to notify the House of Representatives that the Senate is organized and ready to do business.

Senator Walker reported that the House has been notified.

Senator Hatch reported that the Governor has been notified.

On motion of Senator Eastman, and as provided by the Utah State Constitution and the Joint Rules of the Legislature, the Senate voted to suspend the reading of the titles of bills and resolutions on the Senate calendar as they are read for the first time and introduced and considered on Second Reading, Third Reading, and Consent Calendars. This suspension applies to all bills and resolutions introduced during this special legislative session, except that any senator may request the reading of the long title, short title, or both of any House or Senate bill or resolution.

INTRODUCTION OF BILLS

S.B. 3001, **Appropriation Transfer for Division of Museum Services** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 3002, **Access to Information Gained by the State Tax Commission from a Return** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 3003, **Uniform Interstate Enforcement of Domestic Violence Protection Orders Act − Transitional Provisions** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.B. 3004, **Securities Amendments** (C. Bramble), read the first time by short title and referred to the Rules Committee.

S.B. 3005, **Executive Compensation Amendments** (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 3007, **Economic Development Tax Incentive Fund Appropriation Modification** (L. Hillyard), read the first time by short title and referred to the Rules Committee.

S.C.R. 301, **Approval of Transportation Maintenance Shed Construction** (J. Hickman), read the first time by short title and referred to the Rules Committee.

S.C.R. 302, **Resolution Approving Parking Structure for Capitol Complex** (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Knudson, under suspension of the rules, **S.B. 3001, S.B. 3002, S.B. 3003, S.B. 3004, S.B. 3005, S.B. 3007, S.C.R. 301**, and **S.C.R. 302**, were placed on the Second Reading Calendar.

Senator Mayne made a substitute motion to have **S.B. 3008** introduced. The motion failed on the following roll call:

Yeas, 8; Nays, 21; Absent, 0.

Voting in the affirmative were: Senators

Arent	Davis	Dmitrich	Fife
Goodfellow	Hale	Mayne	McCoy

Voting in the negative were: Senators

Bell	Bramble	Buttars	Christensen
Eastman	Evans	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

COMMUNICATIONS FROM THE GOVERNOR

PROCLAMATION

WHEREAS, since the close of the 2006 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Tenth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 24th day of May, 2006 at 2:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to a position within state government of the State of Utah since the close of the 2006 General Session of the Legislature of the State of Utah.

The Extraordinary Session shall take place as part of, and occur in conjunction with, the Third Special Session called by the Proclamation dated May 22, 2006.

IN TESTIMONY WHEREOF,I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 22nd day of May, 2006.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

ADVISE AND CONSENT

Mr. President: May 22, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointment:

State Tax Commission:

D'Arcy Dixon Pignanelli is appointed to replace Palmer DePaulis as a member of the State Tax Commission, a term to expire June 30, 2007. See Utah Code Ann. 59−1−201. Ms. Pignanelli is a Democrat.

Thank you for your timely consideration and confirmation of the above appointment.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate voted to waive the 15−day requirement on the submittal dated May 22, 2006, for purposes of acting on gubernatorial nominees.

CONFERENCE COMMITTEE REPORT

Mr. President: May 23, 2006

Your Revenue and Taxation Confirmation Committee met today to consider the appointment by the Governor of Ms. D'Arcy Pignanelli to the Utah State Tax Commission.

The committee voted unanimously to recommend that the Senate consent to this appointment.

Curtis S. Bramble, Chair

On motion of Senator Hillyard, the Senate voted to consent to the governor's appointment as listed on his communication dated May 22, 2006, as read by Leslie McLean. Senators Bramble, Buttars, and Hickman commented. The motion passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

COMMITTEE OF THE WHOLE

On motion of Senator Bramble, D'Arcy Dixon Pignanelli spoke in Committee of the Whole.

On motion of Senator Bramble, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The House passed **H.B. 3002**, APPROPRIATION TO FUND NEW DRIVERS LICENSE PROGRAMS, by Representative R. Bigelow, and it is transmitted for consideration; and

The House passed **H.B. 3003**, SHELTER HEARING TECHNICAL AMENDMENTS, by Representative W. Harper, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 3002,** and **H.B. 3003** were read the first time.

On motion of Senator Knudson, under suspension of the rules, **H.B. 3002,** and. **H.B. 3003** were placed on the Second Reading Calendar.

SECOND READING CALENDAR

On motion of Senator Hillyard, under suspension of the rules, **S.B. 3001**, APPROPRIATION TRANSFER FOR DIVISION OF MUSEUM SERVICES, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Hickman

S.B. 3001 was transmitted to the House.

* * *

S.B. 3002, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN, was read the second time.

On motion of Senator Bramble, the bill was circled.

* * *

On motion of Senator Hillyard, under suspension of the rules, **S.B. 3003**, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE

PROTECTION ORDERS ACT − TRANSITIONAL PROVISIONS, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 29; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

S.B. 3003 was transmitted to the House.

* * *

On motion of Senator Bramble, under suspension of the rules, **S.B. 3004**, SECURITIES AMENDMENTS, was considered read the second and third times. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 21 through 22

21 Other Special Clauses:

22 This bill provides an immediate effective date.
This bill provides revisors instructions.

2. Page 3, Line 88 through Page 4, Line 90:

88 (B) The company described in this Subsection (2)(d)(iv) may sue at law or in equity to

89 enforce the payment of:

90 (I) the amount described in Subsection (2)(d)(iv)(A) { ~~(II)~~ } ;

3. Page 17, Lines 519 through 523:

519 Section 4. Effective date.

520 If approved by two−thirds of all the members elected to each house, this bill takes effect

521 upon approval by the governor, or the day following the constitutional time limit of Utah

522 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

523 the date of veto override.

Section 5. Revisors instructions.

If this bill passes the Legislature by less than two−thirds of all the members elected to each house, the Office of Legislative Research and General Counsel in enrolling shall change the date "July 1, 2006" cited in the long title and Subsection 61−1−5(2)(d)(i)(D) to "August 1, 2006".

Senator Bramble's motion to amend passed on a voice vote. Senators Waddoups, Arent, Hickman, and Hillyard commented. The bill passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

S.B. 3004, as amended, was transmitted to the House.

* * *

On motion of Senator Bramble, the circle was removed from **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN, and it was before the Senate. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 1, Line 10 through Page 2, Line 40

10 This bill amends the Revenue and Taxation title to allow {~~the Governor's Office of~~

11 ~~Planning and Budget,~~} the Office of the Legislative Fiscal Analyst {~~,~~} and the Office of

12 Legislative Research and General Counsel to receive under certain circumstances

13 information gained by the State Tax Commission {~~from~~} that is required to be attached to or included in a return filed with the State Tax

14 Commission.

15 Highlighted Provisions:

16 This bill:

17 ” defines terms;

18 ” allows the following offices to receive under certain circumstances information

19 gained by the State Tax Commission {~~from~~} that is required to be attached to or included in a return filed with the State Tax

20 Commission:

21 {~~• the Governor's Office of Planning and Budget;~~ }

22 • the Office of the Legislative Fiscal Analyst; and

23 • the Office of Legislative Research and General Counsel;

24 ▶ provides that the State Tax Commission may not disclose a person's:

25 • address;

26 • name;

27 • Social Security number; or

28 • taxpayer identification number;

29 ▶ limits the ability of an office to provide information:

30 • gained by the State Tax Commission {~~from~~} that is required to be attached to or included in a return filed with the State Tax

31 Commission; and

32 • that the office receives from the State Tax Commission;

33 ▶ addresses the circumstances under which a person may request from an office

34 information:

35 • gained by the State Tax Commission {~~from~~} that is required to be attached to or included in a return filed with the State Tax

36 Commission; and

37 • that the office receives from the State Tax Commission;

38 ▶ provides that penalty provisions do not apply to a person that requests information

39 from an office; and

40 ▶ makes technical changes.

2. Page 6, Lines 160 through 167:

160 (q) (i) As used in this Subsection (3)(q), "office" means the:

161 {~~(A) Governor's Office of Planning and Budget:~~}

162 {~~(B)~~} (A) Office of the Legislative Fiscal Analyst; or

163 {~~(C)~~} (B) Office of Legislative Research and General Counsel.

164 (ii) Notwithstanding Subsection (1) and except as provided in Subsection (3)(q)(iii),

165 the commission shall at the request of an office provide to the office information :
(A) gained by the

166 commission {~~from~~} ; and
(B) required to be attached to or included in a return filed with the commission.

167 (iii) The commission may not provide to an office a person's:

Senator Bramble's motion to amend passed on a voice vote.

On motion of Senator Bramble, under suspension of the rules, **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION

FROM A RETURN, was considered read the second and third times. Senators Goodfellow, Eastman, and Stephenson commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Hillyard	Peterson

S.B. 3002, as amended, was transmitted to the House.

* * *

On motion of Senator Knudson, under suspension of the rules, **S.B. 3005**, EXECUTIVE COMPENSATION AMENDMENTS, was considered read the second and third times. Senator Knudson explained the bill. Senators McCoy and Hickman commented. The bill passed on the following roll call:

Yeas, 22; Nays, 3; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Killpack	Knudson	Madsen
Mansell	Mayne	Thomas	Waddoups
Walker	Valentine		

Voting in the negative were: Senators

Jenkins	McCoy	Stephenson

Absent or not voting were: Senators

Bramble	Hellewell	Hillyard	Peterson

S.B. 3005 was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, **S.B. 3007**, ECONOMIC DEVELOPMENT TAX INCENTIVE FUND APPROPRIATION MODIFICATION, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bramble	Peterson

S.B. 3007 was transmitted to the House.

* * *

On motion of Senator Hickman, under suspension of the rules, **S.C.R. 301**, APPROVAL OF TRANSPORTATION MAINTENANCE SHED CONSTRUCTION, was considered read the second and third times. Senator Hickman explained the bill. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Fife	Goodfellow	Hale	Hatch
Hellewell	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Evans	Peterson

S.C.R. 301 was transmitted to the House.

* * *

On motion of Senator Mansell, under suspension of the rules, **S.C.R. 302**, RESOLUTION APPROVING PARKING STRUCTURE FOR CAPITOL COMPLEX, was considered read the second and third times. Senator Mansell explained the bill. Senators Fife, Stephenson, and McCoy commented. The bill passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Madsen	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Knudson	Peterson

S.C.R. 302 was transmitted to the House.

* * *

On motion of Senator Hillyard, under suspension of the rules, **H.B. 3002**, APPROPRIATION TO FUND NEW DRIVERS LICENSE PROGRAMS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

H.B. 3002 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Hatch, under suspension of the rules, **H.B. 3003**, SHELTER HEARING TECHNICAL AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hellewell	Hickman	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	McCoy	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Peterson

H.B. 3003 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

On motion of Senator Knudson, and at 4:10 p.m., the Senate sauntered.

The Senate was called to order at 5:15 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The House passed, **S.B. 3001**, APPROPRIATION TRANSFER FOR DIVISION OF MUSEUM SERVICES, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 3003**, UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT − TRANSITIONAL PROVISIONS, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 3001 and **S.B. 3003** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: May 24, 2006

The House passed, as amended, **H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, by Representative R. Bigelow, and it is transmitted for consideration; and

The House passed **H.J.R. 301**, RESOLUTION APPROVING USE OF FEDERAL FUNDS BY THE DEPARTMENT OF NATURAL RESOURCES, by Representative D. Clark, and it is transmitted for consideration; and

The House passed **H.B. 3004**, SALES AND USE TAX RELATING TO FOOD, by Representative B. Ferry, with the following amendments:

1. Page 39, Lines 1177 through 1202:

1177 (B) a local tax equal to the sum of the tax rates a county, city, or town imposes on the

1178 transaction under this chapter other than this part {~~[~~} ; or {~~]~~} {~~.~~}

1179 (ii) {~~**(A)**~~ } {~~[~~} if {~~]~~} {~~**If**~~ } a seller collects a tax in accordance with Subsection 59−12−107(1)(b) on a

1180 transaction described in Subsection (1), a state tax and a local tax is imposed on the transaction

1181 equal to the sum of:

1182 {~~[~~} (A) {~~]~~} {~~**(I)**~~ } a state tax imposed on the transaction at a rate of:

1183 {~~[~~} (I) {~~]~~} {~~**(Aa)**~~ } 4.75% for a transaction other than a transaction described in Subsection

1184 (1)(d); {~~[~~} or {~~]~~}

1185 {~~[~~} (II) {~~]~~} {~~**(Bb)**~~ } 2% for a transaction described in Subsection (1)(d); {~~[~~} and {~~]~~} {~~**or**~~ }

1186 {~~(Cc) except as provided in Subsection (2)(b)(ii)(B), beginning on January 1, 2007.~~

1187 ~~2.75% on the amounts paid or charged for food and food ingredients; and~~ }

1188 {~~[~~} (B) {~~]~~} {~~**(II)**~~ } a local tax imposed on the transaction at a rate equal to the sum of the

1189 following rates:

1190 {~~[~~} (I) {~~]~~} {~~**(Aa)**~~ } the tax rate authorized by Section 59−12−204, but only if all of the counties,

1191 cities, and towns in the state impose the tax under Section 59−12−204; and

1192 {~~[~~} (II) {~~]~~} {~~**(Bb)**~~ } the tax rate authorized by Section 59−12−1102, but only if all of the counties

1193 in the state impose the tax under Section 59−12−1102.

1194 {~~(B) Notwithstanding Subsection (2)(b)(ii)(A)(I)(Cc), for a seller that collects a tax in~~

1195 ~~accordance with Subsection 59−12−107(1)(b) on a bundled transaction, if the price of the~~

1196 ~~bundled transaction is attributable to food and food ingredients and tangible personal property~~

1197 ~~other than food and food ingredients, a state tax and a local tax is imposed on the bundled~~

1198 ~~transaction equal to the sum of:~~

1199 ~~(I) a state tax imposed on the bundled transaction at the tax rate described in~~

1200 ~~Subsection (2)(b)(ii)(A)(I)(Aa); and~~

1201 ~~(II) a local tax imposed on the bundled transaction as provided in Subsection~~

1202 ~~(2)(b)(ii)(A)(II).~~ }

and transmits it to the Senate for consideration.

Sandy D. Tenney, Chief Clerk

Communications filed. **H.B. 3001, H.J.R. 301,** and **H.B. 3004** were read the first time.

On motion of Senator Knudson, **H.B. 3001, H.J.R. 301,** and **H.B. 3004** were placed on the Second Reading Calendar.

SECOND READING CALENDAR

H.B. 3001, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, was read the second time. Senator Hillyard explained the bill.

On motion of Senator Jenkins, the following substitute bill replaced the original bill:

1st Sub. H.B. 3001, Technical Reallocation of Transportation Funding (R Bigelow)

Senators Thomas, Peterson, Hillyard, and Christensen commented.

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators

Bell	Buttars	Christensen	Davis
Dmitrich	Eastman	Evans	Fife
Goodfellow	Hatch	Hellewell	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mayne	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Arent	Hale	McCoy

Absent or not voting were: Senators

Bramble	Hickman	Mansell

1st Sub. H.B. 3001, as amended, was returned to the House for further consideration.

* * *

On motion of Senator Hatch, under suspension of the rules, **H.J.R. 301**, RESOLUTION APPROVING USE OF FEDERAL FUNDS BY THE DEPARTMENT OF NATURAL RESOURCES, was considered read the second and third times and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans

Fife	Goodfellow	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators
Bramble Hickman

H.J.R. 301 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 3004, SALES AND USE TAX RELATING TO FOOD, was read the second time.

On motion of Senator Hillyard, the bill was circled.

* * *

On motion of Senator Knudson, and at 5:35 p.m., the Senate sauntered.

The Senate was called to order at 6:50 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The House passed, **S.B. 3007**, ECONOMIC DEVELOPMENT TAX INCENTIVE FUND APPROPRIATION MODIFICATION, by Senator L. Hillyard, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 301**, APPROVAL OF TRANSPORTATION MAINTENANCE SHED CONSTRUCTION, by Senator J. Hickman, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 3007 and **S.C.R. 301** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President: May 24, 2006

The House refused to concur with the Senate Amendments to **1st Sub. H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION

FUNDING, by Representative R. Bigelow, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Hillyard, the Senate voted to refuse to recede from its amendments to **1st Sub. H.B. 3001**. President Valentine appointed a conference committee consisting of Senators Jenkins, Killpack, and Dmitrich to meet with a like committee from the House.

* * *

On motion of Senator Hillyard, the circle was removed from **H.B. 3004**, SALES AND USE TAX RELATING TO FOOD. Senators Thomas, Bramble, Hickman, Hatch, Buttars, and Jenkins commented.

On motion of Senator Hillyard, the bill was circled.

MISCELLANEOUS BUSINESS

Senators Dmitrich, Davis, Killpack and Mayne were recognized for a personal privilege.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives R. Bigelow, R. Lockhart, and L. Shurtliff to meet with a like committee from the Senate to consider or amend **1st Sub. H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, by Representative R. Bigelow.

Sandy D. Tenney, Chief Clerk

* * *

On motion of Senator Knudson, and at 7:35 p.m., the Senate sauntered.

The Senate was called to order at 9:20 p.m., with President Valentine presiding.

MISCELLANEOUS BUSINESS

The Joint Conference Committee meeting on **1st Sub. H.B. 3001** could not come to an agreement so President Valentine appointed another committee from the Senate consisting of Senators Mansell, Hillyard and Davis.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The House passed, as amended, **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN, by Senator C. Bramble, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 3004**, SECURITIES AMENDMENTS, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

* * *

On motion of Senator Bramble, the Senate refused to concur in the House amendments to **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN. The House was asked to recede from its amendments. Senators Hickman, Thomas, McCoy, and Stephenson commented. The Senate refused to concur on the following roll call:

Yeas, 11; Nays, 17; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Christensen	Dmitrich
Evans	Hatch	Killpack	Madsen
Mansell	Stephenson	Valentine	

Voting in the negative were: Senators

Arent	Buttars	Davis	Eastman
Fife	Goodfellow	Hale	Hickman
Hillyard	Jenkins	Knudson	Mayne
McCoy	Peterson	Thomas	Waddoups
Walker			

Absent or not voting was: Senator
Hellewell

S.B. 3002 was returned to the House.

* * *

On motion of Senator Bramble, the Senate voted to concur in the House amendments to **S.B. 3004**, SECURITIES AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hatch	Hickman	Hillyard	Jenkins
Killpack	Knudson	Madsen	Mansell
Mayne	McCoy	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Absent or not voting was: Senator
Hellewell

S.B. 3004 was returned to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives J. Alexander, S. Urquhart, and R. Romero to meet with a like committee from the Senate to consider or amend **1st Sub. H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, by Representative R. Bigelow.

Sandy D. Tenney, Chief Clerk

SECOND READING CALENDAR

On motion of Senator Hillyard, the circle was removed from **H.B. 3004**, SALES AND USE TAX RELATING TO FOOD. Senators Stephenson, Bramble, Hale, and Peterson commented.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 3004**, SALES AND USE TAX RELATING TO FOOD, was considered read the second and third times and passed on the following roll call:

Yeas, 23; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Buttars
Christensen	Davis	Dmitrich	Eastman
Evans	Fife	Goodfellow	Hale
Hillyard	Killpack	Knudson	Mansell
Mayne	McCoy	Stephenson	Thomas
Waddoups	Walker	Valentine	

Voting in the negative were: Senators

Hatch	Hickman	Jenkins	Madsen
Peterson			

Absent or not voting was: Senator
Hellewell

H.B. 3004 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

JOINT CONFERENCE COMMITTEE REPORT

Mr. President: May 24, 2006

The Joint Conference Committee comprised of Sens. Mansell, Hillyard, and Davis, and Reps. Alexander, Urquhart, and Romero, recommends **1st Sub. H.B. 3001**, TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING, by Representative R. Bigelow, be replaced and favorably recommends **2nd Sub. H.B. 3001,** TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING.

Sen. Mansell and
Rep. Alexander, Chairs

On motion of Senator Mansell, the Senate voted to adopt the conference committee report, and the bill passed on the following roll call:

Yeas, 18; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Killpack	Knudson
Mansell	Mayne	Stephenson	Thomas
Walker	Valentine		

Voting in the negative were: Senators

Arent	Hale	Hatch	Hickman
Hillyard	Jenkins	Madsen	McCoy
Peterson	Waddoups		

Absent or not voting was: Senator
Hellewell

2nd Sub. H.B. 3001 was signed by the President in open session and returned to the House for signature of the Speaker.

* * *

On motion of Senator Knudson, and at 10:00 p.m., the Senate sauntered.

The Senate was called to order at 10:20 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The Speaker of the House has appointed a Conference Committee consisting of Representatives W. Harper, L. Christensen, and P. Jones to meet with a like committee from the Senate to consider or amend **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN, by Senator C. Bramble.

Sandy D. Tenney, Chief Clerk

President Valentine appointed a conference committee from the Senate consisting of Senators Bramble, Stephenson, and Goodfellow to meet with a like committee from the House.

* * *

Mr. President: May 24, 2006

The Speaker of the House has signed **S.B. 3004**, SECURITIES AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 302**, RESOLUTION APPROVING PARKING STRUCTURE FOR CAPITOL COMPLEX, by Senator L. A. Mansell, which has been signed by the Speaker and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

S.B. 3004 and S.C.R. 302 were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

On motion of Senator Knudson, and at 10:22 p.m., the Senate sauntered.

The Senate was called to order at 11:30 p.m., with President Valentine presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: May 24, 2006

The House adopted the Joint Conference Committee Report dated May 24, 2006, and passed **2nd Sub. H.B. 3001**, TECHNICAL REALLOCATION OF

TRANSPORTATION FUNDING, by Representative R. Bigelow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

2nd Sub. H.B. 3001 was signed by the President in open session and returned to the House for the signature of the Speaker.

* * *

Mr. President: May 24, 2006

The House adopted the Joint Conference Committee Report dated May 24, 2006, and passed **1st Sub. S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM RETURNS, by Senator Curtis S. Bramble, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Mr. President: May 24, 2006

The Joint Conference Committee comprised of Sens. Bramble, Stephenson, and Goodfellow, and Reps. Harper, Christensen, and Jones, recommends **S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN, by Senator C. Bramble, be replaced and favorably recommends **1st Sub. S.B. 3002,** ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN.

Sen. Bramble
and Rep. Harper, Chairs

On motion of Senator Bramble the Senate voted to adopt the Joint Conference Committee report and the bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent	Bell	Bramble	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hatch
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	McCoy	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Buttars	Hellewell	Mansell	Mayne

1st Sub. S.B. 3002 was returned to the House for the signature of the Speaker.

Mr. President: May 24, 2006

The Speaker of the House has signed **1st Sub. S.B. 3002**, ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM RETURNS, by Senator Curtis Bramble, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

1st Sub. S.B. 3002 was signed by the President in open session. The bill will be enrolled and transmitted to the Governor.

* * *

President Valentine appointed Senators Scott Jenkins, Michael Waddoups, and Scott McCoy to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Valentine appointed Senators Bill Hickman, Dan Eastman, and Brent Goodfellow to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Eastman reported the House has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Jenkins reported that his committee had notified the Governor. The Governor asked that the committee convey to the Senate that he has no further business to bring before the legislature.

On motion of Senator Knudson and at 11:35 p.m., the Senate adjourned sine die.

PAGE

INDEX

SENATE BILLS

2006 THIRD SPECIAL SESSION

S.B. 3001 −− APPROPRIATION TRANSFER FOR DIVISION OF MUSEUM SERVICES *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1221
Transmitted to the House 1221
Signed by the President and transmitted to the Governor 1229

S.B. 3002 −− ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM A RETURN *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second time 1221
Circled 1221
Uncircled 1223
Read the second and third time 1225
Amendments 1223
Transmitted to the House 1226
Placed on Concurrence Calendar 1235
Refuse to Concur 1235
Returned to the House 1235
Substituted 1239
Returned to the House 1239
Signed by the President and transmitted to the Governor 1240

S.B. 3003 −− UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT − TRANSITIONAL PROVISIONS *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1221
Transmitted to the House 1222
Signed by the President and transmitted to the Governor 1229

S.B. 3004 −− SECURITIES AMENDMENTS *(C. Bramble)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1222
Amendments 1222
Transmitted to the House 1223
Placed on Concurrence Calendar 1235
Concurrence 1235
Returned to the House 1236
Signed by the President and transmitted to the Governor 1238

S.B. 3005 −− EXECUTIVE COMPENSATION AMENDMENTS *(P. Knudson)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1226
Transmitted to the House 1226

S.B. 3007 −− ECONOMIC DEVELOPMENT TAX INCENTIVE FUND APPROPRIATION MODIFICATION *(L. Hillyard)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1227
Transmitted to the House 1227
Signed by the President and transmitted to the Governor 1233

S.C.R. 301 −− APPROVAL OF TRANSPORTATION MAINTENANCE SHED CONSTRUCTION *(J. Hickman)*
Read the first time by short title and referred to the Rules Committee. 1217
Placed on calendar 1218
Read the second and third time 1227
Transmitted to the House 1228
Signed by the President and transmitted to the Governor 1233

S.C.R. 302 −− RESOLUTION APPROVING PARKING STRUCTURE FOR CAPITOL COMPLEX *(L. A. Mansell)*
Read the first time by short title and referred to the Rules Committee. 1218
Placed on calendar 1218
Read the second and third time 1228
Transmitted to the House 1228
Signed by the President and transmitted to the Governor 1238

PAGE

INDEX

HOUSE BILLS

2006 THIRD SPECIAL SESSION

H.B. 3001 −− TECHNICAL REALLOCATION OF TRANSPORTATION FUNDING *(R. Bigelow)*
Read for the first time 1231
Placed on calendar 1231
Read the second time 1231
Substituted 1232
Read the second and third time 1232
Returned to the House 1232
House refuse to Concur 1233
Senate refuse to Recede 1234
Substituted 1237
Joint Conference Committee Report 1237
Signed by the President and returned to the House . . . . . 1237 , 1239

H.B. 3002 −− APPROPRIATION TO FUND NEW DRIVERS LICENSE PROGRAMS *(R. Bigelow)*
Read for the first time 1221
Placed on calendar 1221
Read the second and third time 1228
Signed by the President and returned to the House 1229

H.B. 3003 −− SHELTER HEARING TECHNICAL AMENDMENTS *(W. Harper)*
Read for the first time 1221
Placed on calendar 1221
Read the second and third time 1229
Signed by the President and returned to the House 1229

H.B. 3004 −− SALES AND USE TAX RELATING TO FOOD *(B. Ferry)*
Read for the first time 1231
Amendments 1230
Placed on calendar 1231
Read the second time 1233
Circled . . . . . 1233 , 1234
Uncircled . . . . . 1234 , 1236
Read the second and third time 1236
Signed by the President and returned to the House 1237

H.J.R. 301 −− RESOLUTION APPROVING USE OF FEDERAL FUNDS BY THE DEPARTMENT OF NATURAL RESOURCES *(D. Clark)*
Read for the first time 1231
Placed on calendar 1231
Read the second and third time 1232
Signed by the President and returned to the House 1233

STATE OF UTAH

SENATE JOURNAL

ELEVENTH EXTRAORDINARY
SESSION OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, June 21, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Eleventh Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Eleventh Extraordinary Session convening on Wednesday, June 21, 2006, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

ELEVENTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Eleventh Extraordinary Session at 12:00 noon on Wednesday, June 21, 2006.

The Senate was called to order at 12:25 p.m. with President John Valentine presiding.

Prayer − Senator Scott Jenkins

Pledge − Senator Fred Fife

Annette Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2006 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature of the State of Utah into a Eleventh Extraordinary Session at the State Capitol Complex in Salt Lake City, Utah, on the 21st day of June, 2006 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2006 General Session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 6th day of June, 2006.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of June 6, 2006, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only of the Fifty−Sixth Legislature of the State of Utah into an Eleventh Extraordinary Session at the Senate Chamber, State Capitol Complex, at Salt Lake City, Utah, on the 21st day of June, 2006, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 2006 General Session of the Utah State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol Complex in Salt Lake City, Utah, this 20th day of June 2006.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Hillyard, Arent, Hatch, and Mansell excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2006 General Session of the Fifty−Sixth Legislature as the rules for the Eleventh Extraordinary Session.

President Valentine appointed a committee comprised of Senators Allen Christensen, Beverly Evans and Ed Mayne to notify the Governor's representative that the Senate is convened in the Eleventh Extraordinary Session in accordance with his proclamation.

Senator Christensen advised the Senate that the Governor's representative has been notified of the convening of the Eleventh Extraordinary Session.

Annette Moore read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: June 6, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

Board of Pardons and Parole:

Clark Harms is appointed to replace Don Blanchard as a member of the Board of Pardons and Parole, a term to expire February 28, 2011. See Utah Code Ann. 77−27−2.

Real Estate Commission:

Kay Ashton is appointed to replace Maralee B. Jensen as a member of the Real Estate Commission, a term to expire June 30, 2010. See Utah Code Ann. 61−2−5.5.

Radiation Control Board:

Dr. John Thomson is reappointed as a member of the Radiation Control Board, a term to expire July 1, 2010. See Utah Code Ann. 19−3−103. Dr. Thomson is not affiliated with a political party.

Elizabeth Goryunova is appointed to replace Linda Kruse as a member of the Radiation Control Board, a term to expire July 1, 2010. See Utah Code Ann. 19−3−103. Ms. Goryunova is not affiliated with a political party.

Peter A. Jenkins is appointed to replace Karen Langley as a member of the Radiation Control Board, a term to expire July 1, 2010. See Utah Code Ann. 19−3−103. Mr. Jenkins is not affiliated with a political party.

Health Data Committee:

Kim Bateman is reappointed as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Dr. Bateman is a Republican.

Leslie Francis is reappointed as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Dr. Francis is a Democrat.

Robert Huefner is reappointed as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Dr. Huefner is a Democrat.

Gary W. Nordhoff is appointed to replace Mark Towner as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Mr. Nordhoff is an Independent.

Stephen J. Kroes is appointed to replace Ronald E. Casper as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Mr. Kroes is a Republican.

Douglas James Hasbrouck is appointed to replace Annette K. Herman as a member of the Health Data Committee, a term to expire June 30, 2010. See Utah Code Ann. 26−33a−103. Dr. Hasbrouck is an Independent.

Utah Athletic Foundation Board of Directors:

John Bennion is appointed as a member of the Utah Athletic Foundation Board of Directors, a term to expire June 30, 2009. In accordance with H.J.R. 25 adopted during the 2002 General Session of the Utah Legislature.

Department of Community and Culture:

Palmer DePaulis is appointed as the Executive Director of the Department of Community and Culture. See Utah Code Ann. 9−1−204.

Department of Administrative Services:

Richard Ellis is appointed as the Executive Director of the Department of Administrative Services. See Utah Code Ann. 63A−1−105.

Commission on Criminal and Juvenile Justice:

Jesse Gallegos is appointed as the Executive Director of the Commission on Criminal and Juvenile Justice. See Utah Code Ann. 63−25a−103.

Utah Science Technology and Research Governing Authority:

Dan Olsen is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2008. See Utah Code Ann. 63−38g−301. Mr. Olsen is appointed by the President of the Senate.

Dinesh Patel is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2010. See Utah Code Ann. 63−38g−301. Mr. Patel is appointed by the President of the Utah State Senate.

Charlie Precourt is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2010 See Utah Code Ann. 63−38g−301. Mr. Precourt is appointed by the Speaker of the Utah House of Representatives.

Jack Sunderlage is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2008. See Utah Code Ann. 63−38g−301. Mr. Sunderlage is appointed by the Speaker of the Utah House of Representatives.

Jim Dreyfus is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2010. See Utah Code Ann. 63−38g−301. Mr. Dreyfus is appointed by the Commissioner for Higher Education.

Scott Anderson is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2010. See Utah Code Ann. 63−38g−301. Mr. Jackson is appointed by Governor.

Hunter Jackson is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2008 See Utah Code Ann. 63−38g−301. Mr. Jackson is appointed by Governor.

Cathy A. Petti is appointed as a member of the Utah Science Technology and Research Governing Authority, a term to expire June 30, 2008. See Utah Code Ann. 63−38g−301. Ms. Petti is appointed by Governor.

Utah State University Board of Trustees:

David Johnson III is appointed to replace Douglas Anderson as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Real Estate Appraiser Licensing and Certification Board:

Ronald M. Smith is appointed to replace Phillip J. Cook as a member of the Real Estate Appraiser Licensing and Certification Board, a term to expire July 1, 2010. See Utah Code Ann. 61−2b−7.

Ambria Spencer is appointed to replace Jennifer Szczypkowski as a member of the Real Estate Appraiser Licensing and Certification Board, a term to expire July 1, 2010. See Utah Code Ann. 61−2b−7.

Judicial Conduct Commission:

Elaine E. Englehardt is appointed to replace Joe Judd as a member of the Judicial Conduct Commission, a term to expire June 20, 1010. See Utah Code Ann. 78−8−102. Dr. Englehardt is not affiliated with a political party.

Securities Advisory Board:

Craig Skidmore is appointed to replace Henry Autry as a member of the Securities Advisory Board, a term to expire July 1, 2008. See Utah Code Ann. 61−1−18.5.

Mark Pugsley is appointed to replace Robert Thorup as a member of the Securities Advisory Board, a term to expire July 1, 2010. See Utah Code Ann. 61−1−18.5.

Tim Bangerter is appointed to replace John Jackson as a member of the Securities Advisory Board, a term to expire July 1, 2010. See Utah Code Ann. 61−1−18.5.

Committee of Consumer Services:

Andrew Riggle is appointed to replace Ryan Atkinson as a member of the Committee of Consumer Services, a term to expire July 1, 2010. See Utah Code Ann. 54−10−2. Mr. Riggle is a Democrat.

Robert McMullin is appointed to replace Kent Bateman as a member of the Committee of Consumer Services, a term to expire July 1, 2010. See Utah Code Ann. 54−10−2. Mr. McMullin is a Republican.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

* * *

Mr. President: June 21, 2006

The Senate Judiciary, Law Enforcement and Criminal Justice Confirmation Committee met on June 20, 2006 and reports a favorable recommendation for Ms. Elaine Eliason Englehardt to be confirmed a member of the Judicial Conduct Commission.

D. Chris Buttars, Chair

Senator Knudson moved to consent to the appointments as read by Leslie McLean. Senator Buttars commented. The motion passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Bell	Bramble	Buttars	Christensen
Davis	Dmitrich	Eastman	Evans
Fife	Goodfellow	Hale	Hellewell
Hickman	Jenkins	Knudson	Mayne
McCoy	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Arent	Hatch	Hillyard	Killpack
Madsen	Mansell		

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Christensen reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 12:40 p.m., the Senate adjourned sine die.

STATE OF UTAH

SENATE JOURNAL

TWELFTH EXTRAORDINARY SESSION
OF THE
FIFTY−SIXTH LEGISLATURE

Convened and Adjourned on
Wednesday, July 19, 2006

CERTIFICATION

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Twelfth Extraordinary Session of the Fifty−Sixth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Twelfth Extraordinary Session convening on Wednesday, July 19, 2006, and adjourning sine die on the same day.

Annette B. Moore
Secretary of the Senate

Leslie McLean
Manager, Senate Services

Mary B. Andrus
Journal Clerk

STATE OF UTAH

SENATE JOURNAL

TWELFTH EXTRAORDINARY SESSION of the FIFTY−SIXTH LEGISLATURE

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr., the Senate of the Fifty−Sixth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Twelfth Extraordinary Session at 12:00 noon on Wednesday, July 19, 2006.

The Senate was called to order at 12:25 p.m. with President John Valentine presiding.

Prayer − Senator Greg Bell

Pledge − Senator Dave Thomas

Annette Moore, Secretary of the Senate, read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the close of the 2006 General Session of the 56th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 56th Legislature into a Twelfth Extraordinary Session at the State Capitol Complex in Salt Lake City, Utah, on the 19th day of July, 2006 at 12:00 noon, for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2006 General Session of the Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the Salt Lake Capitol Complex in Salt Lake City, Utah, this 5th day of July, 2006.

Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of July 5, 2006, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Senate only into a Twelfth Extraordinary Session at the State Capitol Complex, at Salt Lake City, Utah, on the 19th day of July, 2006, at 12:00 noon, for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State Senate has not changed from that of the 2006 General Session of the Utah State Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah at Salt Lake City, Utah, this 13th day of July 2006.

Gary R. Herbert
Lieutenant Governor

Roll call − All Senators present, except Senators Hatch, Stephenson, Christensen, McCoy, Hellewell, Killpack, Fife, Madsen, Peterson, Goodfellow, and Bramble excused.

On motion of Senator Waddoups, the Senate voted to adopt the Senate Rules of the 2006 General Session of the Fifty−Sixth Legislature as the rules for the Twelfth Extraordinary Session.

President Valentine appointed a committee comprised of Senators Bill Hickman, Chris Buttars and Gene Davis to notify the Governor's representative that the Senate is convened in the Twelfth Extraordinary Session in accordance with his proclamation.

Senator Hickman advised the Senate that the Governor's representative has been notified of the convening of the Twelfth Extraordinary Session.

* * *

President Valentine administered the Oath of Office to Wayne Niederhauser, newly appointed to replace Al Mansell in Senate District 9.

* * *

Leslie McLean read the following communications:

COMMUNICATION FROM THE GOVERNOR

Mr. President: June 29, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

UTAH COURT OF APPEALS

David N. Mortensen is appointed as a Judge of the Fourth District Court. See Utah const. ant. VIII, 8; Utah Code 78−29−2.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

* * *

Mr. President: June 21, 2006

The Senate Judiciary, Law Enforcement and Criminal Justice Confirmation Committee met on both July 17 and July 19, 2006, and unanimously reports a favorable recommendation for Mr. David N. Mortensen to be confirmed to the position of Judge in the Fourth District Court.

D. Chris Buttars, Chair

Senator Hillyard moved to consent to the appointment as read by Leslie McLean. Senator Buttars commented. The motion passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Davis
Dmitrich	Eastman	Evans	Hale
Hickman	Hillyard	Jenkins	Knudson
Niederhauser	Mayne	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Christensen	Fife	Goodfellow
Hatch	Hellewell	Killpack	Madsen
McCoy	Peterson	Stephenson	

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Judge David N. Mortensen spoke in Committee of the Whole.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE GOVERNOR

Mr. President: July 5, 2006

In accordance with Utah Code Ann. 67−1−1 and 67−1−2, I propose and transmit the following appointments:

State Records Committee:

Dixie Brunner is reappointed as a member of the State Records Committee, a term to expire July 1, 2010. See Utah Code Ann. 63−2−501.

Carol Heales is appointed to replace LuAnn Adams as a member of the State Records Committee, a term to expire July 1, 2010. See Utah Code Ann. 63−2−501.

Real Estate Commission:

Gary Hancock is appointed to replace Dottie Burnham as a member of the Real Estate Commission, a term to expire June 30, 2010. See Utah Code Ann. 61−2−5.5.

Labor Commission:

Sherrie Hayashi is appointed as Labor Commissioner. See Utah Code Ann. 34A−1−201.

State Tax Commission:

Bruce Johnson is reappointed as a member of the State Tax Commission, a term to expire June 30, 2010. See Utah Code Ann. 59−1−201 . Mr. Johnson is a Republican.

State Board of Financial Institutions:

Kip Cashmore is appointed to replace Alta Earl as a member of the State Board of Financial Institutions, a term to expire July 1, 2009. See Utah Code Ann. 7−1−203. Mr. Cashmore is a Republican.

Weber State University Board of Trustees:

Steven Petersen is appointed to replace Catherine Ortega as a member of Weber State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Utah State University Board of Trustees:

Richard Nelson is appointed to replace Lynnette T. Hansen as a member of the Utah State University Board of Trustees, a term to expire June 30, 2009. See Utah Code Ann. 53B−2−104.

Board of Child and Family Services:

Estelle G. Dahlkemper is appointed as a member of the Board of Child and Family Services, a term to expire July 1, 2010. See Utah Code Ann. 62−A−4a−102. Ms. Dahlkemper is a Republican.

Charles Evans is appointed to replace Rebecca Rae Oakley as a member of the Board of Child and Family Services, a term to expire July 1, 2010. See Utah Code Ann. 62−A−4a−102. Mr. Evans is a Republican.

Christine Suzanne Tuckett is appointed to replace Karen Sitterud as a member of the Board of Child and Family Services, a term to expire July 1, 2010. See Utah Code Ann. 62−A−4a−102. Ms. Tuckett is an Independent.

Board of Pardons and Parole:

Marguerite Arleen Driessen is reappointed as a pro tempore member of the Board of Pardons and Parole, a term to expire February 28, 2011. See Utah Code Ann. 77−27−2 .

Radiation Control Board:

Patrick Cone is reappointed as a member of the Radiation Control Board, a term to expire July 1, 2010. See Utah Code Ann. 19−3−103. Mr. Cone is a Democrat.

Elizabeth Joette Langianese is reappointed as a member of the Radiation Control Board, a term to expire July 1, 2010. See Utah Code Ann. 19−3−103. Ms. Lagianese is an Independent.

Thank you for your timely consideration and confirmation of the above appointments.

Jon M. Huntsman, Jr.
Governor

On motion of Senator Eastman, the Senate, pursuant to Section 67−1−2 of the Utah Code, voted to waive the 15−day requirement on the submittal dated July 5, 2006, for purposes of acting on gubernatorial nominees.

Senator Hillyard moved to consent to the appointment as read by Leslie McLean. The motion passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 11.

Voting in the affirmative were: Senators

Arent	Bell	Buttars	Davis
Dmitrich	Eastman	Evans	Hale
Hickman	Hillyard	Jenkins	Knudson
Niederhauser	Mayne	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bramble	Christensen	Fife	Goodfellow
Hatch	Hellewell	Killpack	Madsen
McCoy	Peterson	Stephenson	

COMMITTEE OF THE WHOLE

On motion of Senator Knudson, former Senator Al Mansell, spoke in Committee of the Whole. Senators Knudson, Dmitrich, Mayne, Hickman, Waddoups, Bell, Arent, Hale, Walker, Jenkins, Buttars, and Eastman commented.

On motion of Senator Knudson, the Committee of the Whole was dissolved.

* * *

President Valentine directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Hickman reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Knudson, and at 1:15 p.m., the Senate adjourned sine die.

JOURNAL INDEX

Page

SECOND EXTRAORDINARY SESSION − June 15, 2005 3

THIRD EXTRAORDINARY SESSION − July 20, 2005 11

FOURTH EXTRAORDINARY SESSION, August 24, 2005 25

FIFTH EXTRAORDINARY SESSION − September 21, 2005 33

SIXTH EXTRAORDINARY SESSION, October 19, 2005 43

SECOND SPECIAL SESSION and SEVENTH EXTRAORDINARY SESSION −
November 9, 2005 51

GENERAL SESSION 2005 (56th Legislature)
January 16, 2006 to March 1, 2006
Adjourn 991
Advise and Consent 330, 804
Standing Committees 84
Committees of the Whole Index 1180
Convene 75
Employees 2006 Session 86
Final Action Index 1153
Governor Huntsman's Opening Remarks 139
Interns 87
Judiciary, State of 98
Leadership − House 82
Leadership − Senate (photos) 65
Legislative Summary 1000
Membership 80
President's Message 63, 77
Reading of Titles of Bills (motion) 83
Rules, Senate and Joint 83
Senators (photo) 68
State Officials 67
Subject Index 1011

EIGHTH EXTRAORDINARY SESSION − April 19, 2006 1193

NINTH EXTRAORDINARY SESSION − May 17, 2006 1201

THIRD SPECIAL SESSION and TENTH EXTRAORDINARY SESSION −
May 24, 2006 1209

ELEVENTH EXTRAORDINARY SESSION − June 21, 2006 1251

TWELFTH EXTRAORDINARY SESSION − July 19, 2006 1261