

SENATE JOURNAL

1970

BUDGET SESSION

of the

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF UTAH

PUBLISHED BY AUTHORITY



CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal for the 1970 Budget Session of the Thirty-Eighth Legislature of the State of Utah, do hereby certify that herein contained is a full true and correct record of the proceedings of the session commencing January 12, 1970 and continuing for twenty legislative days ending January 31, 1970.

COMMITTEE ON REVISION OF THE SENATE JOURNAL

QUAYLE CANNON, JR.,
Secretary of the Senate

SOPHIA C. BUCKMILLER,
Minute Clerk

1970
BUDGET SESSION
of the
THIRTY-EIGHTH LEGISLATURE

FIRST DAY

MORNING SESSION

SENATE CHAMBER
State Capitol
Salt Lake City, Utah, January 12, 1970

Pursuant to the provisions of the Constitution of the State of Utah, the senators of the Thirty-Eighth Legislature of the State of Utah convened in the 1970 Budget Session in the Senate Chamber at 10:00 a.m.

The Senate was called to order by President Haven J. Barlow.

Prayer was offered by Elder Richard L. Evans of the First Council of Twelve of the Church of Jesus Christ of Latter-day Saints.

Our gracious Father in Heaven:

With some awareness of the responsibility they carry we commend to Thee for guidance these sincere and able men, assembled here as members of the Utah State Senate. They leave their own interests, Father, their families and their affairs to serve this state and its people. Give them wisdom to weigh all needs in order of urgency, to measure the resources, to be responsible to the problems, to keep calm judgment with all the pressures. We thank thee, Father, for life in this beloved land, for our forebears, who came here and made good beginnings and for those who have followed and added unto all. Help us not only to preserve, but to improve the heritage we have – to provide for law and order, for education and opportunity, preserving always the incentive to succeed, while beneficially and wisely using the resources Thou Hast given, keeping and increasing the beauty and cleanliness of physical

environment, and the wholesomeness of moral environment for enjoyable, useful, honorable, provident life, with peace and freedom, justice and respect, and opportunity for all. We pray for the Governor of this state, for the President, and members of the senate and for the President of the United States, for all the officers and servants and citizens who share the weight of all responsibilities and decisions and we pray for all men everywhere. Guide us, Father. Never leave us alone. Please bless the young men in the armed forces and the youth of this and other lands, that they may dedicate themselves to competence, service and responsible citizenship. We acknowledge all thy goodness unto us. Help us to deserve to be blessed by keeping thy counsels and commandments, and by living to be acceptable to thee, with respect for ourselves — and for all others also. Let the spirit of Thy son, the Prince of Peace, move upon all men — and let Thy purposes prevail.

We ask it all in the name of Thy son, our Lord and Savior, Jesus Christ. Amen.

The National Guard Color Guard under the direction of Sgt. First Class Tommy G. Black and consisting of Staff Sgt. Ronald A. Argyle, Staff Sgt. John C. Taylor and Sp-5 Lean A. Smith posted the colors.

Mr. Quayle Cannon Jr., Secretary of the Senate read the following certification:

**STATE OF UTAH
CERTIFICATE OF MEMBERSHIP OF THE 1970
BUDGET SESSION
OF THE UTAH STATE LEGISLATURE**

I, Clyde L. Miller, Secretary of State of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday, November 5, 1968, 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 13, 1969:

First District: County of Salt Lake — W. Hughes Brockbank

Second District: County of Salt Lake — Richard V. Evans

Third District: County of Salt Lake — Charles Welch, Jr.

Fourth District: County of Salt Lake — Grant A. Whitman

Tenth District: County of Salt Lake — Edward T. Beck

Eleventh District: County of Salt Lake — Carl E. Pettersson

Twelfth District: County of Weber — Merrill Jenkins

Fourteenth District: County of Weber — E. LaMar Buckner

Seventeenth District: County of Utah – Wallace H. Gardner

Nineteenth District: County of Davis – Haven J. Barlow

Twenty-first District: County of Cache – Reed Bullen

Twenty-third District: County of Carbon – Omar B. Bunnell

Twenty-fourth District: Counties of Uintah, Grand, Daggett, and Emery –
Ralph Preece

Twenty-seventh District: Counties of Washington, Iron and Kane – Dixie
Leavitt

And I further certify that by virtue of an election held on Tuesday, November 8, 1966, at which persons were chosen as members of said, body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired term, from the several districts, to-wit:

Fifth District: County of Salt Lake – C. Taylor Burton

Sixth District: County of Salt Lake – C. Earl Alsop

Seventh District: County of Salt Lake – Warren E. Pugh

Eighth District: County of Salt Lake – Wilmer L. Barnett

Ninth District: County of Salt Lake – Orren J. Greenwood

Fifteenth District: County of Utah – Ernest H. Dean

Sixteenth District: County of Utah – Richard A. Call

Eighteenth District: County of Davis – Ezra T. Clark

Twentieth District: County of Box Elder – Miles (Cap) Ferry

Twenty-second District: Counties of Morgan, Rich, Summit, Wasatch and
Duchesne – Robert F. Clyde

Twenty-fifth District: Counties of Tooele and Juab – Ernest G. Mantes

Twenty-sixth District: Counties of Sanpete, Millard and Beaver – G. Stanford
Rees

Twenty-eighth District: Counties of Sevier, Garfield, Piute, Wayne and San
Juan – Kendrick Harward

And I further certify that by virtue of an appointment by the Governor whereby the following person was appointed to serve for the unexpired term:

Thirteenth District: County of Weber – Rulon R. Garfield

In witness whereof, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this twelfth day of January, 1970.

CLYDE L. MILLER,

Secretary of State

Certificate read and filed.

Roll call: all senators present except Senators Burton and Whitman, excused.

Justice A. H. Ellett of the Supreme Court will administer the oath of office to Senator Rulon R. Garfield, Thirteenth District, County of Weber.

Senator Clyde moved that the President and officers of the Thirty-Eighth Session of the Legislature be the officers for the 1970 Budget Session of the Thirty-Eighth Legislature.

Motion carried.

On motion of Senator Harward, the Senate rules of the Regular Session of the Thirty-Eighth Legislature were adopted as the rules for the 1970 Budget Session.

On motion of Senator Brockbank, the Joint Rules of the Regular Session of the Thirty-Eighth Legislature were adopted as the Joint Rules for the 1970 Budget Session.

On motion of Senator Bullen, the President appointed a committee of three consisting of Senators Ferry, Petterson and Call to notify the House that the Senate is duly organized and ready to do business.

President Barlow appointed a committee of three consisting of Senators Greenwood, Beck and Clark to notify the Governor that the Senate is gathered, organized and ready to do business and ready to receive any messages from him.

The President appointed Senators Call, Garfield and Rees to read and revise the Journal for the 1970 Budget Session.

President Barlow addressed members of the Utah State Senate and made the following remarks:

My Fellow Senators:

Today will occupy a permanent place in the annals of our State History. This Budget Session is one of several important steps in providing better

tools and means to make State Government more responsive to the people and to their governmental needs. This will give us an opportunity to spend the most part of the 20 calendar days in making the most comprehensive examination of the fiscal affairs of our State Government that has been done in modern times. This is why we are compelled to keep non-budgetary items to a minimum.

We will consider those items that we consider an emergency nature and perhaps correct one or two printing errors in statutes of the last legislative session. With few rare exceptions, much more time and study will be given to each item in which funds are asked. More legislators will have a piece of the action and will feel more keenly their part in the legislative process. A better informed legislature will result in better and more accurate legislation. Each item on the budget will have to go through a thorough examination process as has seldom existed previously. We realize that we are setting an important precedent in this budget session.

We want to proceed cautiously and carefully. We hope history will show we have planned well and moved in the right direction.

REPORTS OF SPECIAL COMMITTEE ON SENATE RULES

January 12, 1970

Mr. President:

We do hereby submit the following:

Senate Budget Session Rules

Rule 105-A. "Legislation not directly related to the state budget may be considered by the Legislature during budget sessions only if permitted by Joint Resolution passed by two-thirds of the members elected to each house." Article VI Section II Constitution State of Utah.

Immediately upon introduction, all bills or resolutions, having the effect of law, shall be immediately referred by the President of the Senate to the Rules Standing Committee. This committee shall without delay classify all bills and resolutions thus referred to it as follows:

- (a) Fiscal or budgetary
- (b) Non-fiscal or non-budgetary

The recommendation of the Rules Committee as to budgetary and non-budgetary matters will be in the form of a committee report to be acted upon by the Senate.

Bills or resolutions classified as fiscal or budgetary shall then be processed under the existing rules of the Senate after the adoption of the Rules Committee report.

Bills or resolutions classified as non-fiscal or non-budgetary may be processed as provided for in this Rule after the adoption of the Rules Committee report.

Any member of the Senate having introduced a non-budgetary or non-fiscal bill as classified by the Rules Committee shall introduce a joint resolution on the subject matter of the bill, so that his bill may be considered and acted upon. Upon adoption of the joint resolution by the vote of two-thirds of the elected members of both Houses, the bill or resolution referred to by the joint resolution shall be processed in the usual manner.

The joint resolution shall quote the title of the proposed bill and the author thereof shall attach to the joint resolution a copy of his proposed bill to be printed.

We further submit to amend Senate Rule 75-2 page 72.

Increase appropriation standing committee membership from (20) to 28.

Respectfully submitted,

DIXIE LEAVITT,

Chairman

Committee report read and adopted.

The President recognized a committee from the House, Representatives Matheson, Eskelsen and H. Petersen which reported that the House was duly organized and ready to do business.

Senator Ferry, for the Committee to Notify the House, reported that it had notified the House that the Senate was organized and ready to do business.

Senator Greenwood, for the Committee to Notify the Governor, advised members of the Senate that they had notified the Governor that the Senate was organized and ready to do business.

On motion of Senator Pugh, the Senate recessed in order to meet with the House in Joint Convention to hear the Governor's message. In further compliance with the Pugh motion the Senate voted to re-assemble at approximately one and a half hours after the dismissal of the Joint Convention.

JOINT CONVENTION

The President of the Senate called the Joint Convention to order.

Roll Call showed a quorum of Senate and House members present.

Women's Legislative Council Presentation – Mrs. William Cockayne, President.

The President of the Senate appointed a Joint Committee consisting of Representatives Frost, G. Peterson and Reese together with Senators Alsop, Bunnell and Garfield to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

President Barlow recognized Utah's First Lady Mrs. Calvin L. Rampton, Mrs. Janet Rampton – mother of the governor and other special guests which included Mrs. Haven J. Barlow – Mr. Clyde L. Miller, Sec. of State – Mr. Golden Allen, State Treasurer, Mr. Sherm Preece, State Auditor and former senator Mr. Byron Rampton who is also a brother of the governor.

The Joint Committee returned escorting His Excellency Governor Calvin L. Rampton, who was presented to the Joint Convention by President Haven J. Barlow.

The governor then delivered the following message.

Mr. President, Mr. Speaker, Ladies and Gentlemen of the
Thirty-eighth Legislature of the State of Utah

The voters of the State of Utah in approving the constitutional amendment providing for annual budget sessions of the Legislature, presented you with both an opportunity and a challenge. You are afforded the opportunity by the annual session to exercise more efficient control over the fiscal affairs of the state which are primarily a legislative responsibility. On the other hand, you do face a challenge. It does not appear to have been the intent of the people that the budget session become a short general session, or that it result merely in accelerated adoption of new state programs resulting in an accelerated increase in the cost of state government. Certainly where there are non-budgetary items of considerable urgency such as might require the calling of a special session, or which might be added to the agenda of a special session called for some other reason, the Legislature should consider handling these matters at the budget session.

In preparing the executive budget, copies of which have been submitted to you, and the details of which have been in the possession of the Legislative Analyst for 30 days, I have proceeded on the assumption that the financial program adopted for the current fiscal year by the regular session established guidelines which should be followed in the budget session. Generally, therefore, there is recommended only a continuation of programs already in effect with adjustments to reflect inflationary pressures and workload increase occa-

sioned by the necessity of serving an expanded population. Only where circumstances developing since the regular session have demanded, are there recommended appropriations for new or expanded programs. In some circumstances where decreased demand seemed to warrant, reductions in existing programs are recommended. Proceeding on this theory, I am presenting to you a balanced budget which can be financed with no increase in tax levies.

As is typical in budget making for a governmental unit, requests for budget increases from various divisions, departments, and institutions exceeded, by a substantial margin, estimated available revenues. In reducing these requests to manageable proportions, I have attempted to exercise my best judgment as to priorities for spending. The budget is not an affluent budget, neither is it an austere budget. It can best be described as a normal budget, one which is based upon the growth of the state's economy. It is a budget under which the Executive Department of your government can continue to render to the people of Utah, in an efficient manner, programs which you have heretofore determined are for the public good.

STATE OPERATIONS SINCE THE ADJOURNMENT OF THE REGULAR SESSION

Since the adoption of the Appropriations Bill at the regular session, state revenues have been somewhat higher than forecasts made either by you or by me. These greater than expected revenue increases have resulted, in part, from a strong economy — showing somewhat more progress than we had anticipated. However, we must recognize that to a large degree they have resulted from inflationary pressures common to the economy of the nation as a whole. These inflationary pressures have raised dollar sales volume and dollar income, both individual and corporate, thus expanding the tax base as expressed in fixed dollars. Such inflation, however, does not increase the real economic activity or the real income of the people, and while such inflationary pressures do increase our income on an operational statement, they also create new problems in that the cost of government increases under inflation, just as does the general cost of living.

Due to greater than expected revenues during the last half of the 1968-69 fiscal year, the deficit of \$2,700,000 forecast for July 1, 1969 did not come about. The last fiscal year finished almost exactly on a balance. Based upon present indications, it appears that General Fund and Uniform School Fund revenue during the current fiscal year, eliminating as a current revenue item the amount attributable to accelerated collection of personal income tax, will exceed estimates made at the time the legislature adjourned in March 1969 by approximately \$7,700,000.

You will note from the budget document that no provision is made in the figures relating to the current fiscal year for supplemental appropriations, even though there are some supplemental items which will be presented to you in a proposed supplemental Appropriation Bill applicable to the 1969-70 fiscal year. By the same token, there is included no estimate of lapsing even

though there will certainly be some appropriated funds which will be unused, and which will lapse into the General Fund. Both supplemental appropriations applicable to the current year and funds which will lapse are very difficult for the executive to estimate in preparing a budget in advance of the session. However, past experience has proved that these two amounts tend to be very near the same, and thus to offset each other. At any rate, any difference between them would be so small that it could safely be ignored in determining the prospective surpluses at the end of the current year. It is, therefore, estimated that the surplus in the General Fund and the Uniform School Fund, as of June 30, 1970, will be approximately \$6,000,000.00.

REVENUE ESTIMATES

In making revenue estimates for the 1970-71 fiscal year, it would not be wise to assume that the present escalation of revenues will continue at the same percentage rate that we are experiencing this year over last. The National Administration is making a determined effort to curtail inflation, and there is already some evidence of a cooling off of the national economy. Estimates of revenue increases in the coming year, therefore, should minimize the effect of inflation and be confined to factors related to a true growth in the economy. This I have attempted to do in preparing the budget. I have secured revenue estimates from the Department of Finance, as well as other executive departments of state government; from the Legislative Analyst, and from economists in the services of various private institutions and foundations. I believe the estimates contained in the budget document to be realistic and well obtainable in the absence of a major unforeseeable turn-down in the economy.

Based upon these estimates, the existing tax levies should yield to the General Fund and the Uniform School Fund, eliminating as a current item the one-time revenue resulting from accelerated collection of the individual income tax, approximately \$13,600,000.00 more in the coming fiscal year than in the current fiscal year. In addition thereto, we should keep in mind that for the reasons above set forth, revenues in the current year will be approximately \$6,000,000.00 more than expenditures. Therefore, appropriations from the Uniform School Fund and the General Fund in the next fiscal year can exceed those of the current fiscal year by \$19,600,000.00 without using the surplus for government operations.

BUILDING PROGRAM

We are all aware of the danger inherent in using a one-time source of revenue to balance an operational budget, and, of course, a surplus is in effect a one-time source of revenue. I, am, therefore, recommending that we use the surplus anticipated at the end of the current fiscal year to finance a building program in the next fiscal year.

During the regular session of the 38th Legislature a measure was passed accelerating collection of state income tax which resulted in one-time revenue which we then proceeded to budget for operations. At the same time, a

building program in the amount of \$6.3 million was authorized without apparent revenue to cover it. However, the Board of Examiners was directed to borrow on a short-time basis enough to finance the buildings. Current revenues exceeded expenditures substantially, and the one-time revenue source from accelerated income tax collection was approximately the same as the amount authorized for building. Therefore, more from good fortune than from good planning, in the current fiscal year, we have in effect covered the building program from the one-time source of revenue. At the same time current revenues, over and above the accelerated income tax collection, will create a surplus. This surplus, in keeping with good fiscal planning can well be used for our building program in the coming year.

Appendix No. 1, attached hereto, lists state building needs according to priorities established by the State Building Board. The total comes to almost \$14,000,000 if fully funded. It does not appear, however, that this entire amount can be financed in this year. I recommend that this Legislature appropriate the sum of \$7,000,000 to finance a building program in the coming year according to priorities scheduled. I further recommend that the Governor and the Building Board be empowered to reduce such amount so that it does not exceed the surplus in the General Fund as of June 30, 1970 after the transfer of sufficient funds from the General Fund to the Uniform School Fund to achieve a balance in the Uniform School Fund.

It is further recommended that the appropriation of such surplus be made in the supplemental appropriation bill applicable to the current fiscal year in order that there arises no question as to the availability of such funds, having consideration for the preferred nature of the Uniform School Fund. This will provide an adequate building program, and further will bring us into the new fiscal period with neither a deficit nor a surplus.

You will note that, although the total cost which was authorized for the planning of the technology building at Utah Technical College at Salt Lake is \$3,910,000, there is recommended only \$1,000,000 for the coming fiscal year. This sum of \$1,000,000 should cover all costs which will be incurred in the construction of that building during the 1970-71 fiscal year. It is recommended that if additional funds are needed in that period, the Board of Examiners be authorized to borrow, on a short-term basis, sufficient funds to carry the construction through the coming fiscal year. This will give the 1971 general session of the Legislature an opportunity to determine what further provision it desires to make for the completion of the funding on this building.

OPERATING BUDGET

In accordance with past practice, the budget and this budget message will consider the General Fund and the Uniform School Fund together, since such treatment is necessary in establishing fiscal policy for the state so long as an appropriation from the General Fund to the Uniform School Fund is required in order to provide for an adequate school program. The budget docu-

ment is self-explanatory. However, there are some items upon which I would like to comment specifically:

HIGHER EDUCATION

I am recommending appropriations to state supported post high school educational institutions, including the Board of Higher Education, in the amount of \$45,200,000. This is an increase of \$5,200,000 over the appropriations for the current fiscal year. This represents a 13% increase for the coming year over the current year and a 125% increase over the fiscal year of 1964-65. Although the State of Utah has made a great effort in regard to financial support of post high school institutions, further effort is needed in order to keep abreast of increasing enrollments and increasing costs per student. The percentage increase recommended this year is consistent with increases adopted by the Legislature during the last five years.

Mindful of the critical shortage of medical personnel in the State of Utah, particularly in our rural areas, I have recommended without reduction, the full budget requested by the University of Utah for the College of Medicine and the teaching hospital. In addition, I have recommended, as requested by the institution and the Board of Higher Education, an appropriation of \$91,000 for the establishment of a Department of Community Medicine in the University of Utah College of Medicine. This department was recommended by the Rural Health Committee which reported its findings in December of last year. It is hoped that such a department will orient more medical students to community and family medicine, and thus improve the delivery of health care service to those areas of our state now inadequately served.

You will note that the executive budget recommends for the College of Medicine at the University of Utah the full amount requested by the institution without diminution. This has been done in the hope that with the full appropriation requested, the medical school can increase enrollment by 15%, as was recommended by the Rural Health Study Committee.

It is also recommended that there be included in the budget of the University of Utah an amount of \$100,000 to provide for the payment of tuition and scholarships for economically disadvantaged students. The sum of \$210,000 was originally requested for this purpose by the University of Utah. This proposal was eliminated in the recommendations of the Board of Higher Education. I feel, however, that it is a most worthy object of appropriation. In the original proposal made by the University of Utah, certain administrative expenses were to be charged against the appropriation which would have materially reduced the amount directly available for such scholarships. It is my recommendation that the proposed \$100,000 go entirely for scholarships and that the administration of the program be absorbed by the general administrative budget of the University of Utah.

The budget recommended by the single Board of Higher Education for post high school institutions totalled \$48,986,000. It appears that an ap-

propriation of this size cannot be made within presently anticipated revenues. Therefore, I have recommended the reduced amount. The sum of \$45,200,000 above mentioned has been distributed in the budget document between the various institutions according to the recommendation of the staff of the Board of Higher Education.

SCHOOL SUPPORT PROGRAM

There is recommended a total school program, exclusive of buildings of \$165,426,600. This compares with the school program in the current fiscal year of \$155,001,500, or an increase of \$10,425,000 or 6.73%. Of this increase \$7,115,000 will come from state support, and \$3,310,000 from increased local revenues, which will result under the existing tax levy of the various school districts as applied to the increasing assessed valuation.

Specifically, I recommend that state support for the basic program be increased from the present \$8,350 per distribution unit to \$8,550 per distribution unit, and that the state support for board leeway be increased from the present \$183 per mill per distribution unit to \$192 per mill per distribution unit.

The following increases in categorical programs are recommended: an increase in financing for extended year programs from \$700,000 to \$1,300,000; an increase for data processing from \$300,000 to \$450,000.

In the current fiscal year, the Legislature appropriated the sum of \$100,000 to the State Board of Education for reimbursement to the Utah Symphony Society for the cost of presenting symphony programs to the schools throughout the state. I would propose that this appropriation be made a categorical item in the school finance program. I have made appropriate adjustment in the recommended appropriation from the General Fund to the Uniform School Fund to compensate for this item.

The budget also provides for an adjusted formula in state support for transportation of students to compensate for the fact that under the present formula some districts receive from state funds enough to cover almost all of their transportation costs while other districts receive but a minor part of such costs. I also recommend that state support for busing of students in hazardous areas, which was eliminated as a categorical item in the current fiscal year under the theory that school districts would provide for this program out of general appropriation, be restored as a categorical item.

I propose an appropriation of \$1 million to establish a leadership program among the teaching personnel of the state. It is essential in the interest of our educational system that the present lockstep system by which the teachers are allowed to progress only at an established rate with little regard to differences in ability or differences in dedication or application be modified.

I have discussed this matter with representatives of the Utah Education Association, Utah School Boards Association, and the Utah Department of

Education. Although there are differences among these groups as to details of a formula to be adopted in providing differentials in increase of financial reward to various teachers, I find all groups in concurrence that we make at least a meaningful beginning toward this goal. Furthermore, the differences between the groups as to detail are not so great that they cannot be worked out amicably and a reasonable program and a reasonable formula agreed upon by the educational community itself. The recommended appropriations for extended year programs and for leadership programs are small, and certainly are not going to solve all of the ills in this one year. They are, however, sufficient to allow us to make a meaningful beginning toward a program which will give incentive to the more able or more dedicated teacher.

STATE EMPLOYEES PAY SCALE

Other than by securing a promotion to a higher position, or by having the position which he holds classified upward on the salary classification scale, the only way in which an employee of the State of Utah, under our present compensation schedule, can secure an increase in compensation is through the merit raise, based upon satisfactory performance, for which he becomes eligible once per year. We have been attempting to accomplish three things through this one basis of pay adjustment: (1) merit incentive pay; (2) cost of living increase; (3) longevity increases. By this means, even though there has been no blanket salary increase for state employees since July 1, 1967, during which time the general cost of living has increased in excess of 10%, there has been a general upward movement of average state salaries, but somewhat less than half enough, to keep pace with cost of living increases.

A survey conducted for the Department of Finance by the Executive Compensation Commission and the Department of Employment Security indicates that Utah state salaries, for the most part, are below comparable salaries in surrounding states and salaries for comparable positions in the private sector of Utah's economy. The differential between state salaries in Utah and these other comparable salaries differs from position to position, indicating that while a general upward movement of salary scale is justified, individual adjustments are also required.

At the present time we are studying an overall salary plan which will take into consideration competitive pressures, merit and longevity. However, an adjustment is required at the present time in our present scale in order to compensate for the fact that it has not kept pace with living cost increases.

I recommend that the Legislature provide for a blanket, across the board salary increase of 5% for all state employees on the state salary scale. This will require an expenditure of approximately \$2,500,000, divided approximately equally between the General Fund and other state funds. There is included in the budget a bulk figure of this amount. If the Legislature so approves, this amount should be allocated to the various units of state government in addition to the amounts provided under their budgets. This amount should be allocated on the basis of total payroll in each unit. The Department

of Finance has prepared a schedule of allocation. In addition, I recommend that the sum of \$500,000 equally divided between the general fund and special funds be appropriated by the Legislature to the Department of Finance for the purpose of making selective salary adjustments in those categories where the survey has shown us to be badly out of line with other states and the commercial community. This recommendation applies only to the state pay plan as such, and has no relationship to the executive pay plan, or to the salary plan for elected officers referred to in the report of the Executive Compensation Commission.

At the time the state instituted its group health insurance plan, the state paid in full the premium applicable to the employee himself, the employee paying the premium incident to the coverage of his dependents. Due to increases in the premium rate, the state paid percentage of total premium has been reduced, with the result that the employee is now paying part of his own premium. I recommend the appropriation to the Department of Finance the sum of \$100,000 from the General Fund and a like amount from special funds to enable the state to restore the premium payment schedule to the former basis.

STATE MUSEUMS

There are currently being developed in connection with institutions of higher learning, two museums which appear to have much to contribute to the culture and to the economy of this state. These are the Museum of Natural History at the University of Utah and The Man and His Bread Museum at the Utah State University. Although these museums are associated with the universities, their principal contribution is to the general culture of the community, to the public school system, and to visitors to the state. I feel that these museums are deserving of special state support in their formative period. I am, therefore, recommending an appropriation to the Department of Development Services in the amount of \$80,000 to be for the aid and support of the Museum of Natural History and \$40,000 for the support and aid of The Man and His Bread Museum.

LIQUOR LAW ENFORCEMENT

The Legislature appropriated the sum of \$300,000 to finance the Liquor Law Enforcement Division during the current fiscal year. This amount appears to have been adopted largely on an arbitrary basis. However, the figure appears reasonably close to being right. Because the Enforcement Division funding did not begin until July 1, 1969, it took us almost the first quarter of the fiscal year to bring the staff up to strength. We will not, therefore, use the entire appropriation in the current year, and there will be a substantial portion lapse into the General Fund. Furthermore, we have had an opportunity to observe only about 3 months operation of the Division at full staffing level. This is an inadequate period of experience upon which to base a judgment as to a reasonable budget. I am recommending, therefore, that \$300,000 be appropriated for the 1970-71 fiscal year. I am reasonably certain that this will be

adequate, and if it proves to be excessive, it will not be used, and will lapse back into the General Fund.

DEPARTMENT OF AGRICULTURE LABORATORY

Recommendation has been made that the State of Utah establish a crime laboratory which would make its services available without charge to all law enforcement agencies in the state. The state currently has three laboratories with varying types of capabilities; one at the University of Utah Medical School, one at the Division of Health, and one in the office of the State Chemist under the Department of Agriculture. Among these three laboratories, it appears that we have most of the capabilities necessary to render adequate service to law enforcement agencies.

We are working administratively at the present time on a program to make laboratory services available, without charge, to local and state police. To a large extent we expect to be able to do this from funds which we anticipate under the federal Omnibus Crimes bill. It will be necessary for us, however, in order to have a full range of capability to secure additional equipment and personnel for the State Chemist laboratory. I have, therefore, recommended a substantial increase in the budget for the State Chemist in order to prepare for the new plan of laboratory services which we hope to implement.

INDUSTRIAL SAFETY

Although the personnel of the Safety Division of the Industrial Commission has been greatly increased in recent years, we still do not have the necessary manpower to conduct more than spot check types of inspection. Effective as of January 1, 1970, two additional safety inspectors were employed by the State Insurance Fund and placed under the jurisdiction of the Industrial Commission. The budget recommends funds to keep these two inspectors on a permanent basis, and to hire two additional inspectors, bringing the total in the division to thirteen.

Because approximately 60% of the employers in the State of Utah secure their Workmen's Compensation Insurance from the State Insurance Fund, it is recommended that 60% of the appropriation for the Safety Division be appropriated from the State Insurance Fund, and the balance from the General Fund. The earnings of the State Insurance Fund from operations and from investment of surplus are more than adequate to cover this suggested appropriation.

ENVIRONMENTAL POLLUTION

Of particular concern to all of us in the State of Utah at the present time is the substantial pollution of our air, water and land resources that we are

experiencing. We have within the administrative structure of the State of Utah committees on air conservation and water pollution, which committees are striving very hard to meet the increasing pressures from sources of pollution. Availability of funds has not been a hampering factor in regard to the Air Conservation Council as it has been devoting its major energies up to the present time to establishing rules and standards, and to making an inventory of pollution sources. As we approach the period when the principal effort is going to turn to enforcement, some additional monies are going to be required. I have recommended, therefore, a moderate increase to the Air Conservation Council.

In regard to water pollution, however, lack of funds and consequent lack of sufficient staff has been a problem which has prevented the implementation of our programs as fully as we would have liked. There is included in the budget document a recommendation for an increase of \$70,500 in the budget for the Water Pollution Control Commission. This represents an increase of 94% which is large, but which I feel is fully justified in view of the serious threats which we are facing from water pollution.

ADULT PROBATION AND PAROLE

Utah's correctional system has recently received high praise from a survey team appointed by the Federal Bureau of Prisons. Recognizing that all but a few offenders are ultimately going to complete their terms of incarceration and return to society, our courts and our Division of Corrections have concentrated on adequately supervised probation of first-time offenders, and adequately supervised parole for those who, during their period of incarceration, have shown evidence of a readiness to return to a normal life. This approach is not only sociologically sound, but economically sound. Not just that parole is less expensive than incarceration, although that is a factor, but principally because the chance that the adequately supervised probationer or parolee will resume his position as a productive member of society is much greater than that of the convicted criminal, who, upon the expiration of his term, is turned loose with a new suit, a few dollars in his pocket, and an admonition to avoid trouble in the future.

I have, therefore, recommended substantial workload increase programs, both for the Division of Corrections and for the Juvenile Courts. The amounts which I have recommended are still substantially less than those requested by the divisions under their expansion budgets, but will permit a substantial upgrading of our probation and parole programs.

PUBLIC ASSISTANCE

Section 55-15-24, U.C.A. 1953, as adopted by the Public Assistance Act of 1961, establishes maximum levels for public assistance grants as of the date of enactment of the act. It then goes on to provide:

"The foregoing maximums shall be adjusted upward or downward in direct ratio to increases or decreases in the United States All-items Consumer Price Index prepared by the department of labor. If the Consumer Price Index has increased sufficiently to require an increase in public assistance grants and funds are not available to pay for the increase, grant changes need not be made until funds are available. Individual items in the assistance standards shall be increased or decreased as the corresponding items in the United States Consumer Price Index increase or decrease. The maximums set forth and the Consumer Price Index shall be considered standards as of January 1961."

Almost continuously since the effectiveness of the 1961 act the division has been restricted, through inadequacy of state funds, from meeting costs of living standards. In fact, the Appropriation Act in 1967 froze the maximum as of the July 1, 1966 level until July 1, 1969. In keeping faith with the purpose of the act, we should increase maximum grants to the level indicated by the statutory formula above quoted.

It is, therefore, recommended that a substantial increase be made in the appropriations for public assistance payments. While it is impossible to tell ahead of time the degree of utilization of this program that we will have, the figure in the budget document represents the best judgment of the Division of Social Services as to the amount required to meet the statutory formula during the coming fiscal year.

I have also recommended an increase in the medical assistance appropriation sufficient to materially upgrade payments to hospitals and nursing homes for individuals entitled, under the law, to participate in the program.

MENTAL HEALTH

Our mental health program in the State of Utah is committed to an emphasis on regionalization with the attendant opportunity for out-patient treatment as opposed to mere custodial care in a centralized institution far from the home environment. Pursuant to these goals, we have established in recent years two regional Mental Health Centers, one in Salt Lake County serving the geographical area covered by the Granite School District and one in Provo serving Utah, Juab and Wasatch counties.

The executive budget during the coming fiscal year proposes funds for the establishment of two additional regional centers; one in Weber County and one in the four county area of Carbon-Emery-Grand and San Juan counties. On the assumption that the Legislature will make appropriation for these new centers, the recommended budget of the State Hospital has been reduced to reflect the lighter patient load resulting from the regional treatment. In the event the Legislature does not fund the two new regional centers proposed, it will be necessary to increase the recommended appropriation for the State Hospital by \$300,000 to continue the existing program with the patient load that will be necessary without the two proposed centers.

DRUG ABUSE

In the spring of 1989, a committee of concerned citizens established by Executive Order undertook the task of investigating the nature and extent of illegal drug usage in the State of Utah. This committee worked long and hard interviewing dozens of medical experts, law enforcement officials, drug users, and others who could help to evaluate the problem.

In its report which was submitted on October 1st, copies of which have heretofore been furnished to all members of the Legislature, the committee recommended the establishment of a Division of Drugs within the Department of Social Services, which division would be charged with the responsibility of all programs of education, regulation, evaluation and treatment, and law enforcement, relating to drug abuse. Because in the State of Utah responsibility for law enforcement is primarily vested in the local police and sheriff's offices, I do not feel it advisable to include law enforcement within the responsibility of the Division of Drugs. In my opinion enforcement can best be handled by the Department of Public Safety through its already well established liaison with local law officers. There has been prepared, however, a bill which would create a Division of Drugs which would have the responsibility for regulation, education and rehabilitation. There has been some opposition expressed to this approach to the problem by those who feel that programs in these fields can best be administered by existing departments of state government. Experience in the handling of the problems related to the so-called soft drugs is so limited in the various states of the United States that no one can say with a certainty just what is the best approach to the problem.

It is my belief, however, that the proposal of the committee offers the best approach to the problem based upon the best information which we have been able to obtain. The new division should, of course, utilize, wherever the capability exists, the facilities of existing state divisions, particularly the Division of Mental Health. It appears necessary, however, that we do have a central diagnostic center which can receive those users of drugs referred by the courts, or those seeking treatment on a voluntary basis. The treatment facilities to be established by the new division, however, should be limited to needed treatment which, after diagnosis and evaluation of the offender, appears is not now available in adequate measure within our existing program. The bill proceeds on this basis.

Because this is a new program, and because, of course, I cannot determine ahead of time just how the Legislature will see fit to structure a new program, I have recommended an appropriation from the General Fund to the Department of Social Services in the amount of \$250,000. Additional matching funds, probably in a ratio of two or three to one, will be available from the federal government to aid in this program.

CONCLUSION

To the members of this Legislature, and particularly to the leadership from both political parties, I wish to express my appreciation for the excellent

liaison that has existed between the Legislature and the Executive Branch of the government. As you begin this innovation of the budget session, you will no doubt have many problems as to procedure which will require substantial consideration. It is not the desire of the Executive Branch in any way to intrude into legislative matters. However, if there are any matters on which any of the divisions of state government can be helpful their aid will be immediately available.

In keeping with the policy adopted during the last four years, officers and employees of the Executive Branch of government will not attempt to lobby the Legislature, nor to present unsolicited advice. However, on request of the Legislature itself, committees of the Legislature, or individual legislators, all information within our ability to furnish, will be furnished quickly. This includes advice of the Executive department officials, honestly and truly given, by each of them whether or not such advice is consistent with my own recommendations on the matter.

During the coming 20 days I wish you a pleasant and productive session.

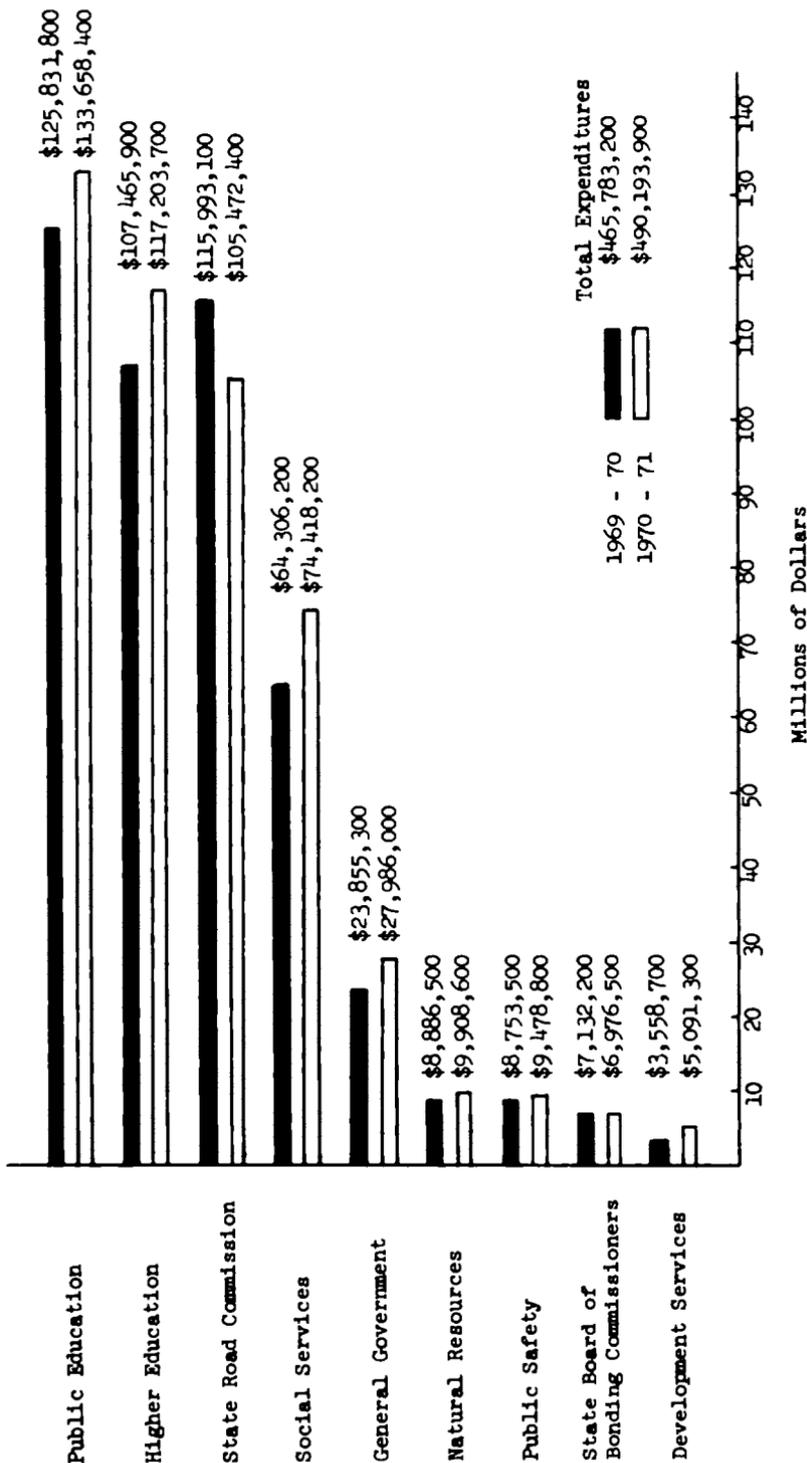
SCHEDULES AND SUMMARIES
of
GOVERNOR'S RECOMMENDATIONS

S T A T E O F U T A H

SUMMARY OF EXPENDITURES

1969 - 70

1970 - 71

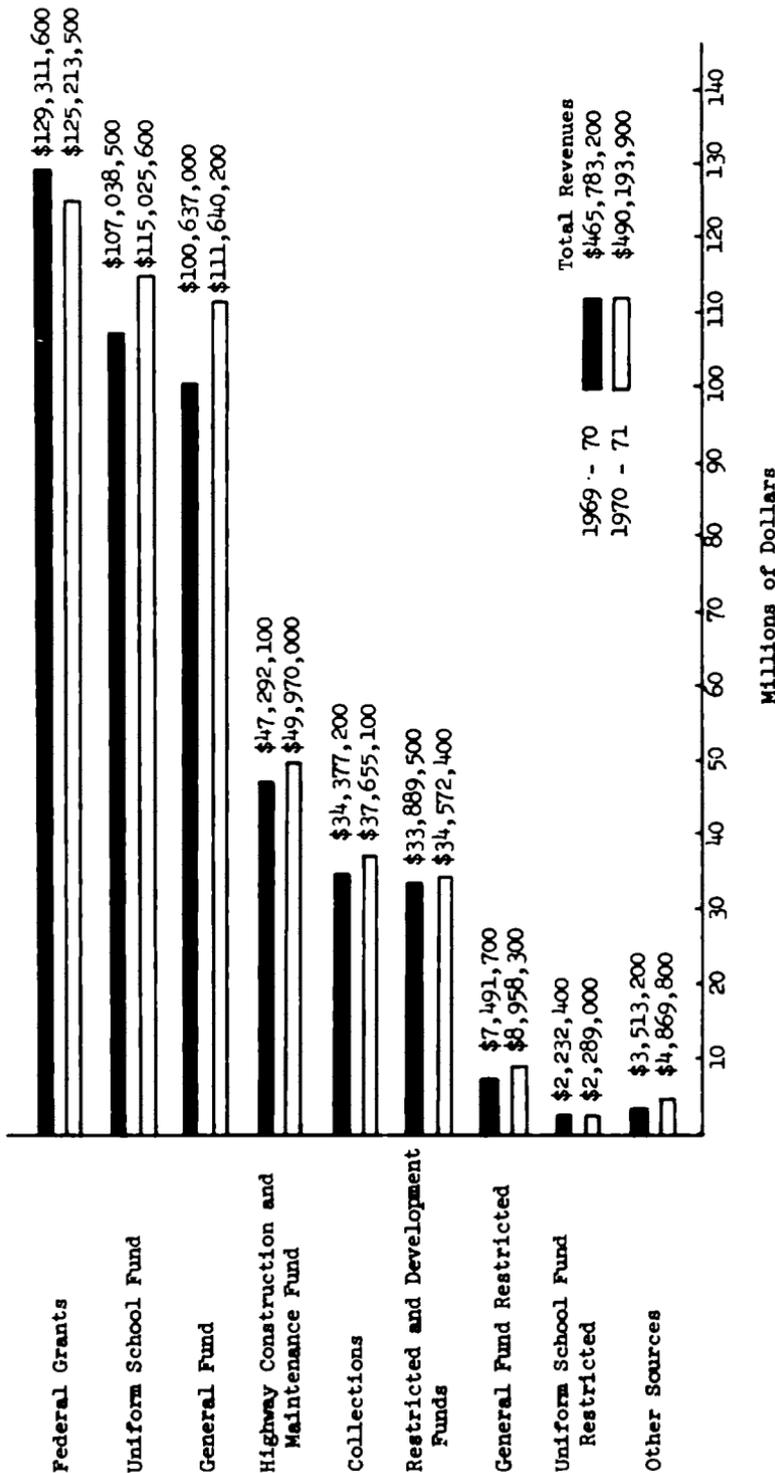


STATE OF UTAH

PLAN FOR FINANCING

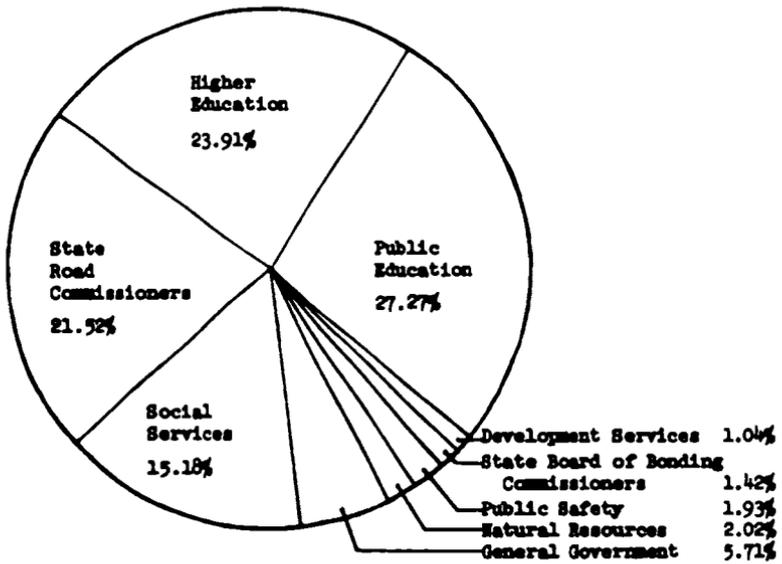
1969 - 70

1970 - 71

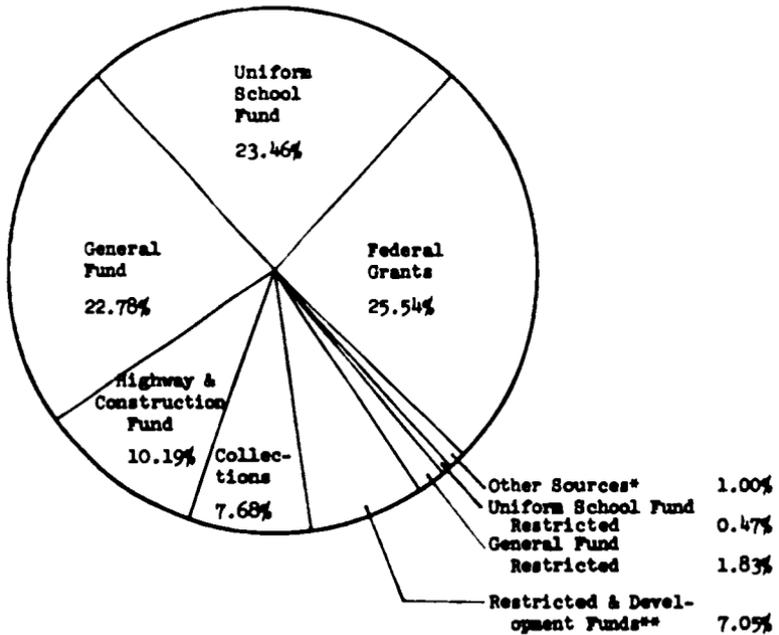


Millions of Dollars

STATE OF UTAH
SUMMARY OF EXPENDITURES
1970 - 71



STATE OF UTAH
 PLAN FOR FINANCING
 1970 - 71



** Restricted and Development Funds include:

- Sponsored research
- Training grants
- Other separately budgeted items
- Other sponsored programs
- Student aid
- Miscellaneous items

*Other Sources:

- Liquor Control Fund 0.41%
- Special Funds 0.33
- State Insurance Fund 0.10
- Other Adjustments 0.08
- State Retirement System Fund 0.06
- Interest Earned from Investment of Bond Proceeds 0.01
- Trust and Agency Fund 0.01
- 1.00%**

**STATE OF UTAH
SUMMARY OF EXPENDITURES**

	Experience 1968-69	Authorized 1969-70	Governor's Recommendation 1970-71
GENERAL GOVERNMENT	\$ 14,690,100	\$ 17,231,400	\$ 22,886,000
Special Items	522,600	6,623,900	5,100,000
	15,212,700	23,855,300	27,986,000
STATE BOARD OF BONDING COMMISSIONERS	7,297,700	7,132,200	6,976,500
STATE ROAD COMMISSION	80,484,600	103,279,400	89,962,600
Special Items	4,624,700	12,713,700	15,509,800
	85,109,300	115,993,100	105,472,400
PUBLIC SAFETY	4,834,300	7,753,500	8,478,800
Special Items	1,000,000	1,000,000	1,000,000
	5,834,300	8,753,500	9,478,800
SOCIAL SERVICES	54,796,400	64,306,200	74,418,200
DEVELOPMENT SERVICES	3,120,200	3,558,700	5,091,300
NATURAL RESOURCES	7,460,700	8,886,500	9,908,600
PUBLIC EDUCATION	110,071,200	125,831,800	133,658,400
HIGHER EDUCATION	95,821,600	107,465,900	117,203,700
	\$384,724,200	\$465,783,200	\$490,193,900

**STATE OF UTAH
SUMMARY OF PLAN FOR FINANCING**

	Experience 1968-69	Authorized 1969-70	Governor's Recommendation 1970-71
GENERAL FUND	\$ 83,710,800	\$100,637,000	\$111,640,200
GENERAL FUND — RESTRICTED	6,682,500	7,491,700	8,958,300
UNIFORM SCHOOL FUND	91,000,900	107,038,500	115,025,600
UNIFORM SCHOOL FUND — RESTRICTED	2,300,400	2,232,400	2,289,000
HIGHWAY CONSTRUCTION AND MAINTENANCE FUND	33,141,300	47,292,100	49,970,000
LIQUOR CONTROL FUND	1,717,400	1,860,600	2,023,400
TRUST AND AGENCY FUND	27,700	27,700	52,500
STATE RETIREMENT SYSTEM FUND	152,700	261,000	313,300
STATE INSURANCE FUND	284,000	344,700	466,100
FEDERAL GRANTS	103,414,100	129,311,600	125,213,500
COLLECTIONS	28,998,000	34,377,200	37,655,100
INTEREST EARNED FROM INVESTMENT OF BOND PROCEEDS	944,800	369,200	30,500
SPECIAL FUNDS	731,500	.	1,600,000
OTHER ADJUSTMENTS	1,878,700R	650,000	384,000
	351,227,400	431,893,700	455,621,500
RESTRICTED AND DEVELOPMENT FUNDS	33,496,800	33,889,500	34,572,400
	\$384,724,200	\$465,783,200	\$490,193,900

COMBINED FISCAL SUMMARY
of the
STATE'S BUDGETARY FUNDS

	1966-70 Fiscal Year			1970-71 Fiscal Year		
	General Fund	Uniform School Fund	Highway Construction Maintenance	General Fund	Uniform School Fund	Highway Construction Maintenance
Beginning Surplus Balances — July 1st	\$	\$ 94,100	\$ 12,890,600	\$ 5,939,100	\$	\$ 12,500,000
Add						
Estimated and Projected Revenues	121,332,000	91,800,000	47,290,000	126,856,700	93,370,000	50,470,000
General Government Overhead Allocations	1,109,000	(720,500)	(388,500)	1,250,000	(750,000)	(500,000)
Total Available	122,441,000	91,173,600	59,792,100	134,045,800	92,620,000	62,470,000
Subtract Budgeted Expenditures	100,637,000	107,038,500	47,292,100	111,640,200	115,025,600	49,970,000
Remaining Balances (or Deficits)	21,804,000	(15,864,900)	12,500,000	22,405,600	(22,405,600)	12,500,000
Transfer						
From General Fund	(15,864,900)			(22,405,600)		
To Uniform School Fund		15,864,900			22,405,600	
Ending Surplus Balances — June 30th	\$ 5,939,100	\$	\$ 12,500,000	\$	\$	\$ 12,500,000

Note: The State Highway Department requires a working balance of approximately \$12.5 million to meet contract payments, a major portion of which is subsequently reimbursed and a reserve to enable the Department to match federal funds as they are released by the Bureau of Public Roads.

REVENUE PROJECTION

GENERAL FUND

	1967-68 Experience	1968-69 Experience	1969-70 (Estimated)	1970-71 (Projected)
Sales Tax	\$ 58,386,500	\$ 65,199,200	\$ 91,500,000	\$ 96,000,000
Liquor Profits	5,906,500	6,245,900	6,550,000	6,750,000
Cigarette Stamps & Tobacco Taxes	3,897,300	4,072,500	5,400,000	5,500,000
Insurance Premium Taxes	3,614,800	3,852,700	4,400,000	4,800,000
Mine Occupation Taxes	2,689,600	2,901,100	4,000,000	4,000,000
Inheritance Taxes	2,281,000	2,088,400	2,300,000	2,400,000
Interest — Treasurer's Investments	2,174,700	2,427,000	3,100,000	3,100,000
Oleomargarine Taxes	860,100	1,069,700	1,200,000	1,200,000
Beer Taxes	341,500	364,300	380,000	400,000
Fees of State Officials	271,300	395,900	400,000	400,000
Insurance Fees	193,500	230,500	250,000	300,000
Court Reported Fees	61,000	62,800	75,000	80,000
Cigarette Licenses	31,700	35,600	40,000	40,000
Fines and Forfeitures	20,000	12,500	25,000	25,000
Occupational Registration Fees	190,800	206,600	210,000	230,000
Public Service Commission Levy	139,600	232,600	310,000	320,000
Contractors Licenses	129,900	127,300	130,000	150,000
Securities Commission Fees	62,600	106,800	100,000	100,000
Real Estate Dealers Licenses	25,800	29,300	51,000	55,000
Engineers & Surveyors Licenses	11,400	12,700	12,500	14,000
Cemetery Licenses	500	400	500	500
Agriculture Fees			305,000	350,000
Oil & Gas Conservation Levy	80,300	92,100	96,000	96,000
Motor Vehicle Administration Fees	83,600	86,700	150,000	165,000
Abstractors Licenses	1,000	1,000	2,000	2,500
Safety Inspection Fees	139,200	159,900	175,000	200,000
County Clerk Fees		2,300	70,000	75,000
Miscellaneous	128,800	8,800	100,000	103,700
	\$ 81,723,000	\$ 90,024,600	\$ 121,332,000	\$ 126,856,700

REVENUE PROJECTIONS

UNIFORM SCHOOL FUND

	1967-68 Experience	1968-69 Experience	1969-70 (Estimated)	1970-71 (Projected)
Individual Income Tax				
Propayments windfall (2 months)	\$ 43,301,500	\$ 50,887,100	\$ 56,500,000	\$ 62,500,000
			6,500,000	
Corporation Franchise Tax	43,301,500	50,887,100	63,000,000	62,500,000
School Lands Revenue	9,713,500	10,725,900	12,800,000	13,870,000
Cigarette Stamps & Tobacco Taxes	1,993,100	1,994,200	2,100,000	2,200,000
Federal Minerals (45%)	1,238,300	1,295,400		
All other Free Revenues	1,234,100	1,258,100	1,300,000	1,400,000
	128,500	40,200	100,000	100,000
	57,609,000	66,200,900	79,300,000	80,070,000
State-wide Property Tax	12,194,800	12,128,900	12,500,000	13,300,000
	\$ 69,803,800	\$ 78,329,800	\$ 91,800,000	\$ 93,370,000
Total Assessed Valuation of Taxable Property	\$1,615,177,993	\$1,662,859,560	\$1,738,535,329	\$1,850,000,000
Mill Levies	7.3	7.3	7.2	7.2
Proceeds (98% Collection)	\$11,555,000	\$11,896,100	\$12,267,100	\$13,053,600

REVENUE PROJECTIONS

HIGHWAY CONSTRUCTION AND MAINTENANCE FUND

	1967-68 Experience	1968-69 Experience	1969-70 (Estimated)	1970-71 (Projected)
Motor Fuel Taxes	\$ 24,670,200	\$ 26,750,100	\$ 34,100,000	\$ 35,900,000
Special Fuel Taxes	2,479,900	2,717,700	3,300,000	4,000,000
	27,150,100	29,467,800	37,400,000	39,900,000
Motor Vehicle Registration Fees	6,573,900	6,031,200	6,500,000	6,900,000
Temporary Permits	1,502,200	1,648,300	1,750,000	1,870,000
Drivers' License Fees	822,200	924,300	1,000,000	1,100,000
Motor Vehicle Control Fees	295,300	315,200	340,000	375,000
Special Transportation Permits	247,700	274,300	300,000	325,000
	36,591,400	38,661,100	47,290,000	50,470,000
Lease and rentals	190,200	163,700	175,000	175,000
Contract Work:				
(Federal agencies exclusive of Bureau of Public Roads, Local Government, etc.)	1,066,000	3,129,100	2,250,000	2,250,000
Federal Reimbursements	52,097,600	53,594,600	72,825,300	60,157,700
	\$ 89,945,200	\$ 95,548,500	\$ 122,540,300	\$ 113,052,700

APPENDIX I
PROPOSED 1970 BUILDING PROGRAM

INSTITUTION	PROJECT CATEGORY	ESTIMATED COST	CUMULATIVE TOTALS
1. School for the Blind	Utilities (Fire Alarm)	\$4,800	\$ 4,800
2. Training School	Utilities (Fire Sprinkler System)	70,000	74,800
3. Division of State History	Utilities (Fire Prevention System)	18,000	92,800
4. University of Utah	Utilities (H.T.W. to Medical Ctr)	322,982	415,782
5. Utah State University	Utilities (Heat Plant Remodel)	300,000	715,782
6. Weber State College	Utilities (New Boiler)	230,000	945,782
7. Dixie College	Utilities (New Boiler)	200,000	1,145,782
8. Utah Technical College — S.L.	Utilities (New Boiler)	24,500	1,170,282
9. Snow College	Land Purchase	8,000	1,178,282
10. Weber State College	Land Purchase	60,000	1,238,282
11. Southern Utah State College	Utilities (Improvements)	108,200	1,346,482
12. Snow College	Utilities (Underground Electrical)	60,000	1,406,482
13. School for the Deaf	Utilities (Electrical Distribution)	3,600	1,410,082
14. *Utah Technical College — S.L.	Technology Building (Partial Funding)	1,000,000	2,410,082
15. Services for Visually Hand.	Land Purchase	40,000	2,450,082
16. School for the Deaf	A. R. & I. (Re-roof Admin. Bldg.)	12,000	2,462,082
17. Snow College	A. R. & I. (Re-roof Art Barn)	10,000	2,472,082
18. Division of Expositions	A. R. & I. (Re-roof)	6,000	2,478,082
19. Utah State University	Utilities (Electrical)	77,000	2,555,082
20. College of Eastern Utah	Campus Development	70,000	2,625,082
21. State Prison	Utilities (Sewage Treatment Plant Addn.)	52,500	2,677,582

* Partial funding — The 1969 Legislature authorized the planning of a Technology Building to cost an estimated \$3,910,000. This planning is underway.

INSTITUTION	PROJECT CATEGORY	ESTIMATED COST	CUMULATIVE TOTALS
22. University of Utah	A. R. & I. (Annex Remodel & Utilities)	\$101,660	\$2,779,242
23. College of Eastern Utah	Maintenance Building	150,000	2,929,242
24. Utah State University	Phys. Ed. Facilities	750,000	3,679,242
25. Division of Expositions	Utilities (Drainage System)	9,000	3,688,242
26. Southern Utah State College	Utilities (Small Boiler)	25,000	3,713,242
27. Snow College	Library Utilities & Improv.	70,000	3,783,242
28. Utah Tech. College — S.L.	Land Purchase	150,000	3,933,242
29. Weber State College	Land Purchase	150,000	4,083,242
30. State Capitol	A. R. & I.	361,953	4,445,195
31. Governor's Residence	A. R. & I.	13,328	4,458,523
32. Division of Expositions	Utilities (Oil-Gas Conversion)	11,500	4,470,023
33. State Prison	Utilities (Replace Steam Line)	10,000	4,480,023
34. Utah Tech. College — Provo	A. R. & I.	18,000	4,498,023
35. Utah Tech. College — S.L.	Campus Development (Roads & Parking)	166,500	4,664,523
36. National Guard	Salt Lake Armory	85,000	4,749,523
37. Weber State College	Utilities (To Maintenance Bldg.)	23,000	4,772,523
38. School for the Blind	Utilities (Replace Sewer Line)	950	4,773,473
39. Weber State College	Utilities (Storm Drainage)	16,000	4,789,473
40. Division of Mental Health	Youth Center	440,000	5,229,473
41. Southern Utah State College	Land Purchase	110,000	5,339,473
42. School for the Deaf	Utilities (Industrial Arts-A.C.)	22,000	5,361,473
43. Division of State History	A. R. & I. (Preserve Exterior)	21,000	5,382,473
44. University of Utah	Service & Utility Center	1,251,000	6,633,473
45. Training School	A. R. & I.	185,000	6,818,473
46. Industrial School	A. R. & I.	166,000	6,984,473

INSTITUTION	PROJECT CATEGORY	ESTIMATED COST	CUMULATIVE TOTALS
47. **Weber State College	Library — Phase II (Partial Funding)	\$1,000,000	\$7,984,473
48. Dixie College	Campus Development	100,000	8,084,473
49. State Prison	Utilities (Culinary Water Treatment)	5,000	8,089,473
50. University of Utah	A. R. & I. (Relocate Bldgs. from Church Property)	40,000	8,129,473
51. Utah State University	Utilities (Water System & Sewer Repair)	32,694	8,162,167
52. Division of State History	A. R. & I. (Sidewalk Repairs)	800	8,162,967
53. Weber State College	Irrigation Reservoir	88,000	8,250,967
54. Utah Tech. College — S.L.	Utilities (Campus Lighting)	9,000	8,259,967
55. Snow College	Campus Development (Sidewalk)	3,101	8,263,068
56. School for the Deaf	Classroom Bldg. Add'n.	107,500	8,370,568
57. School for the Blind	Classroom Bldg. Add'n.	99,985	8,470,553
58. Southern Utah State College	Campus Development (Landscaping & Flood Control)	45,000	8,515,553
59. School for the Deaf	Phys. Ed. Addition	77,900	8,593,453
60. Dept. of Public Safety	A. R. & I. (Firing Range-etc.)	8,200	8,601,653
61. University of Utah	Utilities (Central Control)	20,650	8,622,303
62. Utah State University	A. R. & I.	33,272	8,655,575
63. School for the Blind	A. R. & I. (Science Area)	2,650	8,658,225
64. Weber State College	A. R. & I. (Remodel Bldgs. 1 & 2)	80,000	8,738,225
65. School for the Deaf	A. R. & I. (Garage Add'n.)	45,200	8,783,425
66. Snow College	A. R. & I. (Window Replacement)	20,000	8,803,425
67. Utah State University	Campus Development	20,000	8,823,425
68. Snow College	Campus Development (Parking)	16,489	8,839,914
69. College of Eastern Utah	Campus Development (Tennis Courts & Track)	67,000	8,906,914
70. Weber State College	Utilities (Co-axial Cable)	34,000	8,940,914

** Partial funding — The 1969 Legislature authorized the planning of a Library Addition to cost an estimated \$1,720,000. This planning is underway.

INSTITUTION	PROJECT CATEGORY	ESTIMATED COST	CUMULATIVE TOTALS
71. Training School	Cottages	\$138,000	
72. Services For Visually Hand.	A. R. & I.	10,000	\$9,078,914
73. Utah Technical College — S.L.	Campus Development (Landscaping)	150,000	9,088,914
74. Division of Expositions	A. R. & I. (Rest Room Improvements)	80,000	9,318,914
75. School for the Deaf	Campus Development (Parking & Roads)	24,000	9,342,914
76. Industrial School	Campus Development	15,000	9,357,914
77. Snow CollegeCampus Development	20,006	9,377,920
78. Weber State College	A. R. & I. (Remodel Former I. D.S. Institute)	70,000	9,447,920
79. Division of State History	A. R. & I.	45,100	9,493,020
80. Snow College	A. R. & I. (Entrance Replacement)	3,500	9,496,520
81. State Capitol	A. R. & I.	133,000	9,629,520
82. Utah State University	Land Purchase	85,000	9,714,520
83. Division of Mental Health	A. R. & I.	25,000	9,739,520
84. Dixie College	Campus Lighting	60,000	9,799,520
85. Training School	Land Purchase	20,000	9,819,520
86. Southern Utah State College	Demolish Old Heat Plant	15,000	9,834,520
87. Utah Technical College — Provo	Land Purchase	45,000	9,879,520
88. Weber State College	Phys. Ed. Remodel	40,000	9,919,520
89. School for the Deaf	Campus Development (Curb & Gutter)	2,000	\$9,921,520

The Joint Committee then escorted Governor Rampton to his chambers.

On motion of Senator Leavitt, the Governor's message was ordered spread upon the Journal of the Senate.

Report and instructions from Chairman of the Appropriations Committee Wallace H. Gardner and Co-Chairman Frank V. Nelson, concerning proposed 1970 Legislature Appropriation Committee.

On motion of Senator Pugh, the Joint Convention was dissolved.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

On motion of Senator Gardner the Senate resolved itself into a Committee of the Whole.

Mr. Leo L. Memmitt, Financial Analyst of the Budget Audit Committee, appeared before the Committee of the Whole.

On motion of Senator Gardner the Committee of the Whole was dissolved.

On motion of Senator Pugh, the Senate adjourned until Tuesday, January 13, 1970 at 10:00 a.m.

SECOND DAY

MORNING SESSION

January 13, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman excused.

Prayer by Senator Reed Bullen.

January 13, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the first day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH

Office of the Governor

CALVIN L. RAMPTON
Governor

January 12, 1970

The Honorable Haven J. Barlow
President of the Senate

The Honorable Lorin N. Pace
Speaker of the House of Representatives
and
Members of the 38th Legislature
of the State of Utah

Ladies and Gentlemen:

During the past several weeks, members of the Legislature have conferred with me and with other officers of the Executive Branch of the government of the State of Utah requesting suggestions as to non-budgetary items of such urgency that it might be advisable to consider them during the budget session. I am writing this letter to summarize suggestions which have been given.

There are three matters, all involving bonding laws of the State of Utah, which are of such an urgent nature that a Special Session of the Legislature would be required to deal with the matters were it not for the imminence of the Budget Session. These matters are as follows:

(a) The proposing of a constitutional amendment and the enactment of implementing legislation to provide that all eligible voters in political subdivisions of the State of Utah be permitted to vote in bond elections rather than to limit such voting to property tax payers, as is now provided by the Constitution and laws of our state. A decision of the U.S. Supreme Court in the case of *Cipriano v. City of Homa* has cast doubt on the validity of our bonding provisions, and has made bonds of political subdivisions of the State of Utah unmarketable.

(b) Eliminating or raising the limitations on interest which the State of Utah and its political subdivisions may pay on borrowed money. The maximum limits currently provided by statute are generally well below the present market price for money obtainable through the sale of municipal securities.

(c) Relaxing the requirements for school districts to participate in the state emergency school building aid program. Some school districts which are depending upon help from this source to meet payments on existing bonds will be unable to meet the present criteria of the statute because of factors listed in items (a) and (b) above.

The following items, while not of the same degree of urgency as those listed above, and which, in themselves, probably would not warrant the calling of a special session, have a degree of urgency which would warrant their being placed on a special session agenda if a special session were called for another reason, and thus, might well be considered by the Legislature for inclusion on the budget session agenda.

(d) Establishing a Division of Drugs in the State of Utah charged with the responsibility of implementing programs of education, regulation and rehabilitation in regard to the drug problem. This matter will be discussed as a part of the budget message.

(e) Enacting a Teachers' Negotiation Act.

(f) Exempting persons applying for a license to practice medicine in the State of Utah from taking the basic science examination provided such applicants have passed the National Boards examinations or have been previously admitted to practice in other states where they have taken examinations covering the general area of Utah's basic science law. It appears to have been the intention of the Legislature to accomplish this by the enactment of the Medical Practices Act during the regular session of the 38th Legislature. The Attorney General, however, has held that such objective was not accomplished.

(g) Amending the Code of Criminal Procedure to permit the Attorney General, District Attorneys, and County Attorneys to examine witnesses before a magistrate to aid in determining whether or not criminal proceedings should be instituted. Such a provision, of course, would require that the witness so examined be granted immunity as to matters concerned with such examination. The Attorney General has recommended this bill and I concur with him.

Bills which would carry into effect all of the above recommendations have been prepared by the Office of the Attorney General in cooperation with the Office of the Governor. The bills have been delivered to the Legal Services Committee of the Legislature, and are ready for introduction should the Legislature, by Resolution approve by 2/3 of the members elected to each house so authorize.

There are two other matters on which bills are currently being prepared which also have a degree of urgency.

(h) The recodification of Utah laws dealing with drugs, narcotics, and other controlled dangerous substances.

(i) A Money Management act altered to meet the constitutional objections found by the Supreme Court of the State of Utah in declaring unconstitutional Chapter 206, Laws of Utah 1969.

Although the Attorney General's office is working diligently in regard to these latter two bills, the amount of work required is substantial. If this work can be completed in time to permit the consideration of these bills at the budget session, copies of the bills will be delivered to the Rules Committee and the matter called to the attention of the Legislature by a supplemental communication.

Respectfully yours,

CALVIN L. RAMPTON

Governor

Communication filed.

SPECIAL COMMUNICATION

STATE OF UTAH
 Department of Finance
 State Capitol Building

CALVIN L. RAMPTON
 Governor

HERBERT F. SMART
 Director of Finance

January 13, 1970

The Honorable Haven J. Barlow
 President of the Senate
 319 State Capitol
 BUILDING

Dear President Barlow:

House Joint Resolution No. 1 of the 38th Legislature, State of Utah, directed the Department of Finance to provide a plan for insuring fixed assets of the State. Pursuant to said Resolution, there is this day forwarded to each member of the Legislature a report prepared pursuant to said Resolution.

On Page 3 of said report you will find the recommendation for such a plan. Your attention is specifically called to Recommendation No. 3, in which this Department requests the Legislature by Joint Resolution to authorize the implementation of said plan by establishment of a fire insurance reserve fund, as outlined in the report.

Very truly yours,

HERBERT F. SMART
 Director

Each Senator received copies of enclosures referred to.

Communication filed and copy of same referred to the appropriations committee chairman.

JOINT APPROPRIATIONS COMMITTEE

SUBCOMMITTEE ASSIGNMENTS

1. *Business, Labor, and Regulations*

Agriculture
 Apprenticeship Council

Sen. Miles Ferry, Chairman
 Sen. Carl Pettersson

Financial Institutions
 Business Regulation
 Industrial Commission
 Insurance Department
 Liquor Control Commission

Rep. Stanford P. Darger, Vice Chairman
 Rep. R. Ralph Benson
 Rep. Kenneth O. Holt
 Rep. Marion L. Powell
 Rep. William R. Phelps
 Rep. Glen W. Crump
 Rep. D. Leon Reese

Thom Rothery – Staff Member

2. *Development Services*

Dept. of Development Services
 Aeronautics Division
 Expositions
 Division of State History
 Industrial Promotion Division
 Fine Arts Division
 Travel Development

Sen. Taylor Burton, Chairman
 Sen. Ralph Preece
 Sen. Richard Evans
 Rep. Robert Arbuckle, Vice Chairman
 Rep. Ronald W. Inkley
 Rep. Glade Sowards
 Rep. Kenneth Silliman
 Rep. Nathaniel Clark
 Rep. David C. Harvey

William Price – Staff Member

3. *Public Education*

Board of Education
 Deaf and Blind Schools
 Rehabilitation
 Services for Visually
 Handicapped
 Vocational Education
 Day Care Centers
 Handicapped Children

Sen. LuMar Buckner, Chairman
 Sen. Ernest Dean
 Sen. Wilmer Barnett
 Rep. John P. Redd, Vice Chairman
 Rep. Ben E. Fowler
 Rep. Frank Matheson
 Rep. Georgia Peterson
 Rep. Neil D. Schaerrer
 Rep. Moroni Jensen
 Rep. F. Chileon Halladay
 Rep. Della Loveridge

Leo Memmott – Staff Member

4. *Government Operations and Revenue and Taxation*

Building Board
 Finance Department
 Fire Marshal
 Library Commission
 Retirement Board
 Tax Commission
 Board of Bonding
 Commissioners

Sen. Ernest Mantes, Chairman
 Sen. Orren Greenwood
 Sen. C. Earl Alsop
 Rep. Franklin Gunnell, Vice Chairman
 Rep. Royal T. Harward
 Rep. Ruel M. Eskelen
 Rep. Sidney Atkin
 Rep. Glen T. Anderson

Rep. John Smith
 Rep. Brian R. Florence
 Rep. Dale H. Workman
 Glen Vernon – Staff Member

5. *Higher Education*

State Board of Higher
 Education
 Dixie College
 College of Southern Utah
 Eastern Utah
 Snow College
 University of Utah
 Utah State University
 Technical College – Provo
 Technical College – Salt Lake
 Weber State

Sen. Reed Bullen, Chairman
 Sen. W. Hughes Brockbank
 Sen. Merrill Jenkins
 Sen. Dixie Leavitt
 Rep. Allan E. Meacham, Vice Chairman
 Rep. Vance W. Aagard
 Rep. M. Byron Fisher
 Rep. Ronald T. Halverson
 Rep. Daniel S. Dennis
 Rep. Leon Savage
 Rep. Larry Regis
 Rep. Homer U. Petersen
 Rep. Milly Oberhansley
 Karl N. Snow – Consultant

6. *Judicial and Executive*

Attorney General
 Auditor
 District Court
 Governor
 Juvenile Court
 Secretary of State
 Special Claims
 Supreme Court
 Treasurer

Sen. Charles Welch, Chairman
 Sen. Rulon R. Garfield
 Rep. Homer F. Wilkinson,
 Vice Chairman
 Rep. J. Harold Mitchell
 Rep. Gordon Madsen
 Rep. Vern Carter
 Rep. Verlan Andersen
 Rep. C. DeMont Judd
 Rep. Richard C. Howe

Marion Wittwer – Staff Member

7. *Natural Resources*

Dept. of Natural Resources
 Water Rights
 Water Resources
 Fish and Game
 Forestry and Fire Control
 Land Board
 Oil and Gas Conservation
 Parks and Recreation

Sen. Robert Clyde, Chairman
 Sen. Edward Beck
 Rep. Alfred Frost, Vice Chairman
 Rep. Lawrence Jones
 Rep. Kenneth Brady
 Rep. Del L. Buckner
 Rep. Mike Dmitrich
 Glen Vernon – Staff Member

Dept. of Social Services	Sen. Ezra Clark, Chairman
Correction Division	Sen. Richard Call
Adult Probation and Parole	Sen. Stanford Rees
Board of Pardons	Sen. Omar Bunnell
Prison	Rep. F. E. Peterson, Vice Chairman
Health Division	Rep. Dean Christensen
Alcoholism Committee	Rep. Quentin Cannon
Indian Affairs Division	Rep. Howard Nielson
Mental Health Division	Rep. Malcolm Young
State Hospital	Rep. Glen H. Thurston
Division of Family Services	Rep. Richard Carling
Industrial School	Rep. Beatrice Marchant
Training School	Rep. Nellie Jack
Detention of Children	Rep. Gerald Woodmansee
Division of Aging	Rep. Donald B. Milne
	Marion Wittwer – Staff Member

9. *Transportation and Public Safety*

State Road Commission	Sen. Kendrick Harward, Chairman
Armory Board	Sen. Warren Pugh
Public Safety Department	Sen. Grant Whitman
Council of Defense	Rep. Dean Hill, Vice Chairman
	Rep. Franklin Knowlton
	Rep. Charles B. Leatham
	Rep. Harold J. Whiting
	Rep. Calvin Gould
	Rep. James W. Platt

Senator Gardner reported to members of the Senate that subcommittee assignments for the Joint Appropriations Committee had been made and it was tentatively the plan for the remainder of this week to convene in general session at 10:00 a.m. and dismiss at 10:30 in order for members of the Senate to join with House members for committee meetings.

On motion of Senator Pugh, the Senate adjourned until Wednesday, January 14, 1970 at 10:00 a.m.

THIRD DAY

MORNING SESSION

January 14, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senators Bunnell, Gardner, Garfield and Whitman, excused.

Prayer by Senator E. LaMar Buckner.

January 14, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the second day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL
Chairman

Report adopted and filed.

On motion of Senator Evans the Senate resolved itself into a Committee of the Whole.

Mr. J. E. Snedker, Speaker of the House, Saskatchewan, Canada, appeared before the Committee of the Whole and exchanged greetings and goodwill to members of our Senate.

On motion of Senator Pugh, the Senate adjourned until Thursday, January 15, 1970 at 10:00 a.m.

FOURTH DAY

MORNING SESSION

January 15, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senators Gardner, Garfield and Whitman, excused.

Prayer by Senator Orren J. Greenwood.

January 15, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the third day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL

Chairman

Report adopted and filed.

On motion of Senator Pugh, the Senate adjourned until Friday, January 16, 1970 at 10:00 a.m.

FIFTH DAY

MORNING SESSION

January 16, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Senator C. Earl Alsop.

January 16, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the fourth day and find it correct with minor amendments noted on the final copy.

Respectfully,

G. STANFORD REES

Acting Chairman

Report adopted and filed.

INTRODUCTION OF BILLS**STATE PROMISSORY NOTES**

S. B. No. 1

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 66-1-2, UTAH CODE ANNOTATED 1953, RELATING TO PROMISSORY NOTES OF THE STATE OF UTAH; PROVIDING THAT SUCH NOTES SHALL BEAR A RATE OF INTEREST AS MAY BE DETERMINED BY THE STATE BOARD OF LOAN COMMISSIONERS, was read the first time and referred to the Committee on Rules.

SCHOOL DISTRICT INDEBTEDNESS

S. B. No. 2

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTIONS 53-10-1 AND 53-10-2, UTAH CODE ANNOTATED 1953, RELATING TO CERTAIN INDEBTEDNESS OF SCHOOL DISTRICTS; SPECIFYING THE PURPOSES FOR WHICH SUCH INDEBTEDNESS MAY BE INCURRED; PROVIDING FOR THE LIMITATION UPON SUCH INDEBTEDNESS WITHOUT A BOND ELECTION; PROVIDING THE MANNER OF SUCH ELECTIONS; AND REPEALING SECTIONS 53-10-3, 53-10-4, 53-10-5, 53-10-6, 53-10-9, 53-10-10, 53-10-11, 53-10-12, 53-10-15, AND 53-10-17, UTAH CODE ANNOTATED 1953, SECTION 53-10-7, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 4, LAWS OF UTAH 1959, FIRST SPECIAL SESSION, AND SECTION 53-10-14, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 89, LAWS OF UTAH 1963, was read the first time and referred to the Committee on Rules.

MUNICIPAL BOND ACT AMENDMENTS

S. B. No. 3

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING THE UTAH MUNICIPAL BOND ACT BY AMENDING SECTION 11-14-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1965, AND SECTION 11-14-14, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 41, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 28, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 4, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, RELATING TO BONDS OF CITIES, TOWNS, COUNTIES, SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISIONS AND ENTITIES; PROVIDING FOR ALL QUALIFIED ELECTORS TO VOTE AT BOND ELECTIONS UNDER CERTAIN CONDITIONS; AND PROVIDING THAT BONDS MAY BEAR INTEREST AND BE SOLD AT SUCH PRICES AS DETERMINED IN THE DISCRETION OF THE ISSUING BODY, WITHOUT REGARD TO OTHER LIMITATIONS, was read the first time and referred to the Committee on Rules.

WATER AND SEWER IMPROVEMENT

DISTRICT LAW

S. B. No. 4

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 17-6-3.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 53, AS AMENDED

BY CHAPTER 31, LAWS OF UTAH 1957, SECTION 17-6-3.3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, SECTION 17-6-3.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, AS AMENDED BY CHAPTER 24, LAWS OF UTAH 1963, AND ENACTING SECTIONS 17-6-3.16 AND 17-6-3.17, UTAH CODE ANNOTATED 1953, RELATING TO WATER AND SEWER IMPROVEMENT DISTRICTS; PROVIDING FOR HOLDING ELECTIONS OF ELECTIVE REPRESENTATIVE OF A MUNICIPALITY AND FOR UNEXPIRED INITIAL TERMS WHEN SUCH ELECTIONS ARE NOT HELD AT THE TIME OF THE INITIAL BOND ELECTION; PROVIDING FOR VALIDATION OF PROCEEDINGS AND ORGANIZATION OF DISTRICTS AND BOND PROCEEDINGS TAKEN AND BONDS ISSUED; PROVIDING THAT CERTAIN INDEBTEDNESS OF SUCH DISTRICTS MAY BE INCURRED AFTER AN ELECTION HELD IN THE MANNER PROVIDED BY THE UTAH MUNICIPAL BOND ACT; AND PROVIDING FOR THE RATES OF INTEREST AND THE PRICES OF BONDS OF SUCH DISTRICTS AS DETERMINED BY THE BOARD OF TRUSTEES, was read the first time and referred to the Committee on Rules.

REVENUE BONDS OF COUNTIES AND MUNICIPALITIES

S. B. No. 5

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 55-3-3, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 111, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 10, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, SECTION 55-3-13, UTAH CODE ANNOTATED 1953, AND SECTION 55-3-14, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 111, LAWS OF UTAH 1957, RELATING TO CERTAIN REVENUE BONDS OF CITIES, TOWNS AND COUNTIES; PROVIDING THAT SUCH BONDS SHALL BEAR A RATE OF INTEREST AS MAY BE DETERMINED BY THE GOVERNING BODY; PROVIDING FOR ELECTIONS RELATING TO SUCH BONDS UNDER CERTAIN CIRCUMSTANCES IN THE MANNER PROVIDED BY THE UTAH MUNICIPAL BOND ACT; AND PROVIDING FOR PUBLICATION OF BOND ORDINANCES, was read the first time and referred to the Committee on Rules.

COUNTY SPECIAL IMPROVEMENT DISTRICTS

S. B. No. 6

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 17-7-18.5, UTAH CODE ANNOTAT-

ED 1953, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1963, AND SECTION 17-7-21, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 32, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1963, RELATING TO COUNTY SPECIAL IMPROVEMENT DISTRICTS; PROVIDING THAT ASSESSMENTS AND BONDS IN SUCH DISTRICTS SHALL BEAR INTEREST AS SPECIFIED BY THE BOARD OF COUNTY COMMISSIONERS, was read the first time and referred to the Committee on Rules.

MUNICIPAL SPECIAL IMPROVEMENT DISTRICTS

S. B. No. 7 By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING THE UTAH MUNICIPAL IMPROVEMENT DISTRICT ACT BY AMENDING SECTIONS 10-16-20 AND 10-16-27, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 27, LAWS OF UTAH 1969; PROVIDING FOR A RATE OF INTEREST ON SPECIAL IMPROVEMENT ASSESSMENTS AND BONDS OF CITIES AND TOWNS DETERMINED BY THE APPROPRIATE GOVERNING BODY, was read the first time and referred to the Committee on Rules.

INDEBTEDNESS OF CITIES AND TOWNS

S. B. No. 8 By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTIONS 10-7-7 AND 10-7-8, UTAH CODE ANNOTATED 1953, RELATING TO CERTAIN INDEBTEDNESS OF CITIES AND TOWNS; PROVIDING THAT SUCH INDEBTEDNESS MAY BE INCURRED AFTER AN ELECTION HELD IN THE MANNER PROVIDED BY THE MUNICIPAL BOND ACT, was read the first time and referred to the Committee on Rules.

**BONDS OF STATE INSTITUTIONS
OF HIGHER LEARNING**

S. B. No. 9 By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 53-38-1, UTAH CODE ANNOTATED 1953, AS REENACTED BY CHAPTER 9, LAWS OF UTAH 1966, SECOND SPECIAL SESSION, SECTION 53-38-2, UTAH CODE ANNOTATED 1953, AS REENACTED BY CHAPTER 9, LAWS OF UTAH 1966, AS AMENDED BY CHAPTER 149, LAWS OF UTAH 1969, AS AMENDED BY CHAPTER

9, LAWS OF UTAH 1969, FIRST SPECIAL SESSION, AND SECTION 53-38-4, UTAH CODE ANNOTATED 1953, AS REENACTED BY CHAPTER 9, LAWS OF UTAH 1966, SECOND SPECIAL SESSION, RELATING TO FINANCING AND ACQUISITION OF PROJECTS OF STATE INSTITUTIONS OF HIGHER LEARNING; PROVIDING THAT THE NAME OF THE COLLEGE OF SOUTHERN UTAH BE CHANGED TO SOUTHERN UTAH STATE COLLEGE IN RESPECT TO BONDING FOR CAMPUS BUILDINGS AS FOR OTHER PURPOSES; PROVIDING THAT BONDS OF SUCH INSTITUTIONS MAY BEAR SUCH INTEREST AND BE SOLD AT SUCH PRICES AS DETERMINED BY THE AUTHORIZING BOARD WITHOUT REGARD TO OTHER LIMITATIONS; PROVIDING FOR AUTHORIZATION TO USE GRANTS OF FUNDS OR OTHER AID FROM THE UNITED STATES OF AMERICA IN PAYMENT OF DEBT SERVICE ON BONDS AND FOR AUTHORIZATION TO PLEDGE SUCH GRANTS OR FUNDS OR OTHER AID TO PAYMENT OF DEBT SERVICE ON BONDS; PROVIDING AN EFFECTIVE DATE; AND REPEALING SECTION 53-38-1.1, UTAH CODE ANNOTATED 1953, AS REENACTED BY CHAPTER 9, LAWS OF UTAH 1966, SECOND SPECIAL SESSION, was read the first time and referred to the Committee on Rules.

INDEBTEDNESS OF COUNTIES

S. B. No. 10

By Messrs. Pugh, Mantes and Buckner

AN ACT AMENDING SECTION 17-4-4, UTAH CODE ANNOTATED 1953, AND SECTION 17-12-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 33, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1963, RELATING TO CERTAIN INDEBTEDNESS OF COUNTIES; PROVIDING THE PURPOSES FOR WHICH SUCH INDEBTEDNESS MAY BE INCURRED; PROVIDING FOR LIMITATIONS UPON SUCH INDEBTEDNESS WITHOUT THE BENEFIT OF A BOND ELECTION; AND PROVIDING THE MANNER OF SUCH ELECTIONS, was read the first time and referred to the Committee on Rules.

SCHOOL FINANCE ACT SPECIAL UNITS

S. B. No. 11

By Messrs. Bunnell, Barnett and Dean

AN ACT AMENDING SECTION 53-7-21, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1965, AS AMENDED

BY CHAPTER 110, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 131, LAWS OF UTAH 1969, PROVIDING FOR THE LIMITATIONS IN THE MANNER OF ALLOCATING SPECIAL UNITS FOR SMALL RURAL SCHOOLS, was read the first time and referred to the Committee on Rules.

INSURANCE FUND TRANSFER REPEAL

S. B. No. 12

By Messrs. Brockbank and Mantes

AN ACT REPEALING CHAPTER 263, LAWS OF UTAH 1969, PROVIDING FOR THE REPEAL OF THE TRANSFER OF CERTAIN FUNDS FROM THE STATE INSURANCE FUND TO THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

STATE SCHOOL BUILDING AID

S. B. No. 13

By Messrs. Clark and Jenkins

AN ACT AMENDING SECTION 53-11-41, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 107, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 94, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 112, LAWS OF UTAH 1967, SECTIONS 53-11-43 AND 53-11-44, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 107, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 94, LAWS OF UTAH 1965, AND SECTION 53-11-45, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 107, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 91, LAWS OF UTAH 1963, AS AMENDED BY CHAPTER 94, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1969; RELATING TO STATE BUILDING AID FOR SCHOOL DISTRICTS; ESTABLISHING CHANGES IN THE PERCENT OF EXISTING CLASSROOMS REQUIRED TO QUALIFY FOR BUILDING AID; PROVIDING THE METHOD BY WHICH A DISTRICT QUALIFIES FOR BONDING UNIT AID; ESTABLISHING THAT BONDS RECALLED OR REFUNDED BE CREDITED AS BOND PAYMENTS; ESTABLISHING CHANGES IN THE REQUIREMENTS FOR ALTERNATE BUILDING AID; PROVIDING AN APPROPRIATION OF \$2,965,000 FROM THE GENERAL FUND FOR FISCAL 1971 FOR SUCH STATE BUILDING AID AND FOR CERTAIN DIRECTIONS AS TO EXPENDITURE OF SAME; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

On motion of Senator Ferry the Senate resolved itself into a Committee of the Whole.

Representative Dean C. Christensen, appeared before the Committee of the Whole.

On motion of Senator Ferry the Committee of the Whole was dissolved.

On motion of Senator Leavitt the Senate recessed.

The Senate re-assembled.

Mr. Phil Olsen, Utah's own All American Football player from Logan, recognized and honored by UPI - NEA - AP Sporting News - Walter Camp - Time Magazine was introduced and presented to members of the Utah State Senate together with Mr. Roy Simmons, Executive Director of the Youth Tobacco Advisory Committee and a friend Mr. Ray Ricks.

On motion of Senator Pugh, the Senate adjourned until Monday, January 19, 1970 at 10:00 a.m.

EIGHTH DAY

MORNING SESSION

January 19, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

excused.

Roll Call - All Senators present except Senators Brockbank and Whitman,

Prayer by Senator Wilmer L. Barnett.

January 19, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL
Chairman

Report adopted and filed.

SPECIAL COMMUNICATION

THE COUNCIL OF STATE GOVERNMENTS

January, 1970

TO THE SECRETARY OF THE SENATE:

As in past years when the Legislature has been in session, we shall send you very shortly bulk supplies of certain materials that we believe will be of interest to the members of the Senate. We shall appreciate it greatly if you can have them distributed to all members.

The packet will contain the following items – in sufficient supply, we believe, for distribution to all:

- (1) Pamphlets about the Council of State Governments and associated interstate organizations.
- (2) A recent report of the Council's Committee on State-Urban Relations.
- (3) A summary of Suggested State Legislation, 1970, developed by the Council's Committee of State Officials on Suggested State Legislation.
- (4) Cards offering each member of the Legislature a regular complimentary subscription to our quarterly journal, State Government, unless he already is receiving it regularly.
- (5) Letters to the members concerning the State Government cards, and monthly newsletter, State Government News, on a complimentary explaining that throughout their terms all members will receive our basis.

If more copies of any of the above items are desired after the packets reach you, please let us know. Meantime, complimentary subscription to each of the periodicals mentioned has been entered or renewed for you.

With many thanks and kindest personal regards, I am

Sincerely,

BREVARD CRIHFIELD
Executive Director

Communication filed.

RULES COMMITTEE REPORT

January 16, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bills 1 through 10 which deal with bonding and interest charges – S. B. No. 1 – STATE PROMISSORY NOTES; S. B. No. 2 – SCHOOL DISTRICT INDEBTEDNESS; S. B. No. 3 – MUNICIPAL BOND ACT AMENDMENTS; S. B. No. 4 – WATER AND SEWER IMPROVEMENT; S. B. No. 5 – REVENUE BONDS OF COUNTIES AND MUNICIPALITIES; S. B. No. 6 – COUNTY SPECIAL IMPROVEMENT DISTRICTS – S. B. No. 7 – MUNICIPAL SPECIAL IMPROVEMENT DISTRICTS; S. B. No. 8 – INDEBTEDNESS OF CITIES AND TOWNS; S. B. No. 9 – BONDS OF STATE INSTITUTIONS OF HIGHER LEARNING; S. B. No. 10 – INDEBTEDNESS OF COUNTIES, and have ruled they are non-budgetary in nature and would recommend that the Senate Joint Resolution, which is attached, be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTIONS

BONDING BY POLITICAL
SUBDIVISIONS RESOLUTION

S. J. R. No. 1

By Messrs. Pugh, Mantes and Buckner

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF LEGISLATION RELATING TO BONDS AND OTHER INDEBTEDNESS OF POLITICAL SUBDIVISIONS OF THE STATE AND THE PROCEDURES AND INTEREST RATES REGARDING THIS INDEBTEDNESS, was read the first time.

Senator Pugh, with the aid of five senators, requested a call of the Senate.

On motion of Senator Buckner, the call of the Senate was lifted.

Senator Evans, with the aid of five senators, requested a call of the Senate.

On motion of Senator Bullen, the call of the Senate was lifted.

On motion of Senator Pugh the rules were suspended and S. J. R. No. 1 was read the second and third times and placed on its final passage.

On motion of Senator Welch, S. J. R. No. 1 was amended as follows:

Page 1, line 4 after the word "of" delete the words "resolutions and/or bills" then after the word "of" insert "S. B. Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10"

Also on the same line delete the word "related" and insert in lieu thereof the word "relating"

S. J. R. No. 1 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield,

Greenwood, Harward, Jenkins, Leavitt, Mantes, Petterson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Call and Whitman.

S. J. R. No. 1 was transmitted to the House.

INTRODUCTION OF BILLS

SUBPOENA AND IMMUNITY POWERS

S. B. No. 14 By Messrs. Alsop, Greenwood and Barnett

AN ACT ENLARGING THE POWERS OF THE ATTORNEY GENERAL, DISTRICT ATTORNEYS AND COUNTY ATTORNEYS TO COMPEL THE ATTENDANCE AND TESTIMONY OF WITNESSES; AND GRANTING IMMUNITY TO ESSENTIAL WITNESSES IN AID OF CRIMINAL INVESTIGATIONS AND PROSECUTIONS, was read the first time and referred to the Committee on Rules.

FIRE FIGHTERS NEGOTIATION ACT

S. B. No. 15 By Messrs. Barnett and Petterson

AN ACT RELATING TO FIRE FIGHTERS IN THE STATE OF UTAH AND THEIR EMPLOYERS; PROVIDING FOR THE RIGHT OF SUCH FIRE FIGHTERS TO ORGANIZE, BE REPRESENTED, AND BARGAIN WITH THEIR RESPECTIVE EMPLOYERS REGARDING TERMS AND CONDITIONS OF EMPLOYMENT; PROVIDING THE PROCEDURES REGARDING THE EXERCISE OF SUCH RIGHTS; AND PROVIDING FOR ARBITRATION IN THE EVENT A CONTRACT OF EMPLOYMENT CANNOT BE CONCLUDED, was read the first time and referred to the Committee on Rules.

SCHOOL FINANCE PROGRAM

S. B. No. 16 By Messrs. Clark and Jenkins

AN ACT AMENDING SECTIONS 53-7-16, 53-7-18, AND 53-7-19, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 88, LAWS OF UTAH 1963, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 110, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 131, LAWS OF UTAH 1969, AND SECTION 53-7-21, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1965, AS AMENDED BY CHAPTER 110, LAWS

OF UTAH 1967, AS AMENDED BY CHAPTER 131, LAWS OF UTAH 1969. RELATING TO THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM; PROVIDING FOR AN INCREASE IN THE DISTRIBUTION UNIT AMOUNT OF THE BASIC AND BOARD LEEWAY PROGRAMS; PROVIDING FOR AN INCREASE IN THE PUPIL TRANSPORTATION FORMULA AND PROVIDING FOR AN ALTERNATIVE METHOD OF GRANTING STATE AID FOR PUPIL TRANSPORTATION; PROVIDING FOR A SPECIAL VOCATIONAL EDUCATION DROP-OUT PREVENTION PROGRAM; PROVIDING FOR A PROGRAM OF STATE AID FOR DISTINGUISHED TEACHING SERVICE AND TEACHER LEADERSHIP SALARIES; PROVIDING FOR AN INCREASE IN THE EXTENDED YEAR AND SUMMER PROGRAMS; AND PROVIDING FOR AN INCREASE IN THE STATE SUPPORT FOR THE STATEWIDE EDUCATIONAL DATA PROCESSING SYSTEM, was read the first time and referred to the Committee on Rules.

**PRESENTATION OF RESOLUTIONS
ELECTORS AT DEBT ELECTIONS**

S. J. R. No. 2 By Messrs. Pugh, Mantes and Buckner

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIV, SECTION 3, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO QUALIFICATIONS TO VOTE AT ELECTIONS FOR THE CREATION OF PUBLIC DEBT AND PROVIDING THAT ALL QUALIFIED ELECTORS MAY VOTE AT SUCH ELECTIONS, was read the first time and referred to the Committee on Rules.

RULES COMMITTEE REPORT

January 16, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 11 – SCHOOL FINANCE ACT SPECIAL UNITS – and has ruled that this is non-budgetary in nature and would recommend that the Senate Joint Resolution be considered by the senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION
MINIMUM SCHOOL FINANCE ACT RESOLUTION

S. J. R. No. 3

By Messrs. Bunnell, Barnett and Dean

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH PERMITTING INTRODUCTION AND CONSIDERATION OF LEGISLATION AMENDING PROVISIONS OF THE MINIMUM SCHOOL FINANCE ACT AS PROVIDED IN CHAPTER 7 OF TITLE 53, UTAH CODE ANNOTATED 1953, was read the first time.

Senator Bunnell, with the aid of five senators requested a Call of the Senate.

On motion of Senator Gardner, the Call of the Senate was lifted.

On motion of Senator Bunnell the rules were suspended and S. J. R. No. 3 was read the second and third times and placed on its final passage.

S. J. R. No. 3 failed to pass on the following roll call:

Years, 9; Nays, 17; Absent, 1.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bunnell, Call, Evans, Garfield, Greenwood and Petterson.

Voting in the negative were: Senators Alsop, Bullen, Burton, Clark, Clyde, Dean, Ferry, Gardner, Harward, Jenkins, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting was: Senator Brockbank.

S. J. R. No. 3 filed.

RULES COMMITTEE REPORT

January 18, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 13 STATE

SCHOOL BUILDING AID – and have ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION
STATE SCHOOL BUILDING
AID RESOLUTION

S. J. R. No. 4

By Messrs. Clark and Jenkins

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 13 RELATING TO STATE BUILDING AID FOR PUBLIC SCHOOL DISTRICTS, was read the first time.

On motion of Senator Clark the rules were suspended and S. J. R. No. 4 was read the second and third times and placed on its final passage.

S. J. R. No. 4 then passed in the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Bullen and Whitman.

S. J. R. No. 4 was transmitted to the House.

On motion of Senator Pugh, the Senate adjourned until Tuesday, January 20, 1970 at 10:00 a.m.

NINTH DAY

MORNING SESSION

January 20, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senators Clyde and Whitman, excused.

Prayer by Senator Kendrick Harward.

January 20, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the eighth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Committee report read and adopted.

RULES COMMITTEE REPORT

January 16, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 12 – INSURANCE FUND TRANSFER REPEAL – and has ruled that this is non-budgetary in nature and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION
INSURANCE FUND TRANSFER REPEAL RESOLUTION

S. J. R. No. 8

By Messrs. Brockbank and Mantes

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING THE INTRODUCTION AND CONSIDERATION OF A BILL REPEALING A PROPOSED TRANSFER OF FUNDS FROM THE STATE INSURANCE FUND, was read the first time.

On motion of Senator Brockbank the rules were suspended and S. J. R. No. 8 was read the second and third times and placed on its final passage.

On motion of Senator Garfield, S. J. R. No. 8 was amended as follows:

Page 1, line 4, delete the words "a bill" then insert in lieu thereof "S. B. No. 12".

S. J. R. No. 8 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bunnell, Burton, Call, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees and Mr. President.

Absent and not voting were: Senators Bullen, Clyde, Welch and Whitman.

S. J. R. No. 8 was transmitted to the House.

RULES COMMITTEE REPORT

January 19, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Joint Resolution No. 2 - ELECTORS AT DEBT ELECTIONS - and has ruled that this is non-budgetary in nature and would recommend that the Senate Joint Resolution be considered to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION
DEBT ELECTIONS AMENDMENT RESOLUTION

S. J. R. No. 7 By Messrs. Pugh and Jenkins

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF A RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF UTAH AS IT RELATES TO ELECTORS WHO MAY VOTE AT DEBT ELECTIONS, was read the first time.

On motion of Senator Pugh, S. J. R. No. 7 was amended as follows:

Page 1, line 4, after the word "resolution" insert "S. J. R. No. 2".

On motion of Senator Pugh the rules were suspended and S. J. R. No. 7 was read the second and third times and placed on its final passage.

S. J. R. No. 7 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Beck, Brockbank, Buckner, Bunnell, Burton, Call, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Barnett, Bullen, Clyde and Whiteman.

S. J. R. No. 7 was transmitted to the House.

INTRODUCTION OF BILLS
TRIPLICATE PRESCRIPTIONS

S. B. No. 17 By Messrs. Alsop, Barnett and Greenwood

AN ACT ENACTING SECTION 58-13a-11.5, UTAH CODE AN-

NOTATED 1953; PROVIDING THE NUMBER OF COPIES THAT MUST BE MADE OF CERTAIN PRESCRIPTIONS; AND PROVIDING THE PROCEDURES IN RESPECT TO THESE COPIES, was read the first time and referred to the Committee on Rules.

DIVISION OF DRUGS

S. B. No. 18 By Messrs. Alsop, Barnett, Greenwood, Dean and Petterson

AN ACT AMENDING SECTION 63-35-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 174, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 197, LAWS OF UTAH 1969, RELATING TO CONTROL OF DRUGS AND DRUG ABUSE; PROVIDING FOR THE CREATION OF A BOARD AND A DIVISION OF DRUGS WITHIN THE DEPARTMENT OF SOCIAL SERVICES; PROVIDING FOR THE POWERS AND DUTIES OF THE BOARD AND THE DIVISION OF DRUGS AND FOR THEIR COMPOSITION; REQUIRING ANNUAL LICENSING OF THOSE DEALING WITH DRUGS, NARCOTICS OR DANGEROUS SUBSTANCES AND THE PROCEDURES CONCERNING SAME; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

Study of Funding Salt Lake County-Salt Lake City Health Department Merger

S. J. R. No. 5

By Messrs. Leavitt, Call and Dean

A JOINT RESOLUTION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE LEGISLATIVE COUNCIL TO STUDY AND TO FORMULATE PROPER LEGISLATION TO FUND THE MERGER BETWEEN THE SALT LAKE COUNTY HEALTH DEPARTMENT AND THE SALT LAKE CITY HEALTH DEPARTMENT FOR INTRODUCTION AT THE REGULAR SESSION OF THE 39TH LEGISLATURE OF THE STATE OF UTAH, was read the first time and referred to the Rules Committee.

On motion of Senator Leavitt, the rules were suspended and the Rules Committee submitted their recommendation concerning S. J. R. No. 5 – STUDY OF FUNDING SALT LAKE COUNTY-SALT LAKE CITY HEALTH DEPARTMENTS MERGER – as being non-budgetary.

On motion of Senator Leavitt the rules were suspended and S. J. R. No. 5 was read the second and third times and placed on its final passage.

S. J. R. No. 5 then passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Clyde and Whitman.

S. J. R. No. 5 was transmitted to the House.

COMMUNICATION FROM THE HOUSE

January 19, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules Concurrent Memorial No. 1, by Members of the Senate and Members of the House, CONDOLENCES TO MRS. DAVID O. MCKAY AND FAMILY, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

CONCURRENT MEMORIAL NO. 1

By Members of the Senate and
Members of the House

A CONCURRENT MEMORIAL OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, OFFERING CONDOLENCES TO MRS. DAVID O. MCKAY AND FAMILY—IN MEMORIAM.

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof and the Governor concurring therein:

WHEREAS ON JANUARY 18, 1970, DAVID OMAN McKAY, PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS WAS CALLED FROM THIS LIFE BY HIS MAKER; and

WHEREAS PRESIDENT DAVID O. McKAY WAS A TEACHER DEDICATED TO THE PRINCIPLE THAT THE GLORY OF GOD IS INTELLIGENCE, A DEVOTED HUSBAND AND FATHER WHOSE EXAMPLE OF HOME LIFE WAS AN INSPIRATION TO ALL, A CIVIC LEADER WHO WAS DEDICATED TO THE FREEDOM OF THE INDIVIDUAL AND THE DIVINITY OF THE AMERICAN PRINCIPLES OF GOVERNMENT; and

WHEREAS HE WAS A BUILDER OF MEN AND A BUILDER OF TEMPLES, CHURCHES AND SCHOOLS AND A MAN WHOSE INFLUENCE FOR GOOD AND GUIDELINES OF BEAUTY, GOODNESS AND TRUTH ARE EVIDENT IN ALL THINGS THAT HE TOUCHED AND HIS DEVOTION OF DEDICATED SERVICE WAS UNSELFISHLY GIVEN THROUGHOUT HIS LIFE TO HIS FELLOW MEN, HIS STATE, AND HIS COUNTRY; and

WHEREAS HE PRESIDED AS PRESIDENT OF THE RELIGIOUS FAITH WHOSE PERSEVERANCE BROUGHT ABOUT THE SETTLEMENT OF THE GREAT STATE OF UTAH, AND WHOSE WHOLE LIFE BY VIRTUE OF HIS POSITION, STATUS AND INFLUENCE, SPIRITUALLY AND OTHERWISE, WAS SUCH, THAT HIS PASSING WILL BE KEENLY FELT THROUGHOUT THE ENTIRE WORLD.

NOW THEREFORE, BE IT RESOLVED, THAT THE BUDGET SESSION OF THE 38TH LEGISLATURE WITH THE GOVERNOR CONCURRING THEREIN, EXPRESS THEIR CONDOLENCES TO MRS. McKAY AND THE McKAY FAMILY IN THE DEPARTURE OF PRESIDENT DAVID O. McKAY AND DEEP GRATITUDE OF THE PEOPLE OF UTAH FOR HIS CONTRIBUTIONS TO THE STATE AND TO HIS FELLOW MEN, was read the first time.

On motion of Senator Bullen the rules were suspended and Concurrent Memorial No. 1 was read the second and third times and placed on its final passage.

Concurrent Memorial No. 1 was then passed on the following roll call:

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

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch, Whitman and Mr. President.

The two Senators that were excused this morning were extended the privilege to show a vote of being unanimous on the Concurrent Memorial.

Concurrent Memorial No. 1 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Pugh, the Senate adjourned until Wednesday, January 21, 1970 at 10:00 a.m.

TENTH DAY

MORNING SESSION

January 21, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Senator Carl E. Pettersson.

January 21, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the ninth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 20, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, S. J. R. No. 1, by Mr. Pugh, et al., BONDING BY POLITICAL SUBDIVISIONS RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 1 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

INTRODUCTION OF BILLS

BASIC SCIENCE LAW EXEMPTIONS

S. B. No. 19 By Messrs. Leavitt, Garfield and Greenwood

AN ACT ENACTING SECTION 58-27-17, UTAH CODE ANNOTATED 1953, RELATING TO THE REQUIREMENTS FOR A LICENSE TO PRACTICE ANY OF THE HEALING ARTS; PROVIDING FOR EXEMPTIONS FROM THE REQUIREMENTS OF THE BASIC SCIENCE LAW FOR PERSONS WHO HAVE PRACTICED HEALING ARTS IN ANOTHER STATE OR FOREIGN COUNTRY AND QUALIFIED THEREIN BY CERTAIN EXAMINATIONS TESTING BASIC SCIENCE KNOWLEDGE OR WHO HAVE PASSED A NATIONAL BOARD EXAMINATION, was read the first time and referred to the Committee on Rules.

FUNDS FOR REDEVELOPMENT AGENCIES

S. B. No. 20 By Messrs. Brockbank, Evans and Burton

AN ACT AMENDING THE UTAH NEIGHBORHOOD DEVELOPMENT ACT BY AMENDING SECTION 11-19-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 5, LAWS OF UTAH 1969,

FIRST SPECIAL SESSION, AUTHORIZING REDEVELOPMENT AGENCIES TO ACCEPT FUNDS FROM VARIOUS SOURCES AND TO BORROW MONEY OR TO ACCEPT FINANCIAL OR OTHER ASSISTANCE FROM THE STATE OR FEDERAL GOVERNMENT, was read the first time and referred to the Committee on Rules.

On motion of Senator Dean the Senate resolved itself into a Committee of the Whole.

Mr. Charles Stewart Mott, philanthropist, automotive pioneer and resident of Flint, Michigan, who was honored with an Honorary Doctorate at B.Y.U., January 20, 1970, appeared before and addressed members of the Senate in the Committee of the Whole.

The following special guests that accompanied him were introduced to the Committee of the Whole:

Mrs. Charles Stewart Mott

Dr. Thomas Mayhew: Director Regional Center, Phoenix, Arizona

Dr. Isreal Heaton: Regional Director, B.Y.U.

Dr. Burton Olsen: Training Center, B.Y.U.

Dr. Avard Rigby: State Board of Education.

Mr. Joseph Nielson: Coordinator, State Board of Education.

On motion of Senator Dean the Committee of the Whole was dissolved.

On motion of Senator Dean the Senate voted to have the following brief statement inscribed upon the pages of the Senate Journal.

"We approach all problems of children with affection. Theirs is the province of joy and good humor. They are the most wholesome part of the race, for they are freshest from the hands of God."

This is the inscription carried on the Mott Foundation stationery.

Charles Stewart Mott, philanthropist, automotive pioneer and resident of Flint Michigan since 1907 founded the Mott Foundation for the purpose of supporting religious, educational, and recreational activities for the public benefit.

Mr. Mott was born in Newark, New Jersey, on June 2, 1875. He has six children—four daughters and two sons. He received his early education in New York and New Jersey, and earned an engineering degree in 1897 at Stevens Institute of Technology.

Mr. Mott served in the New York Naval Militia, the Spanish-American War, World War I and gave service to the military in World War II. He was a three-time mayor of Flint and was elected to the board of directors of General Motors in 1913, a position he retains today.

In 1926 Mr. Mott established the Charles Stewart Mott Foundation, which is the fourth largest private foundation in the nation. By 1968 he had given \$50,000,000 to community education. The foundation has had as its primary objective the development of human resources by placing within the community the ladders upon which the aspiring could rise.

In declining to give an estimate of his financial worth, Mr. Mott asserts, "What I'm worth is what I am doing for other people" His family crest bears the motto: "Let Us Be Known By Our Deeds."

The Flint program has for 44 years constituted a human development laboratory for the nation. It has worked in a unique partnership with public education in the development of a new concept known as the community school concept. The foundation was established on the basis of five assumptions: (1) that those of us who have benefited from society have an obligation to benefit society in return; (2) that it is possible to benefit society by helping people improve the quality of their lives; (3) that the creation of opportunity for self-improvement helps best by developing self-reliant strength; (4) that extensions of opportunities in education, recreation, and health are fundamental means of improving the quality of living; and (5) that existing facilities, agencies and democratic methods can serve best in the development of such extended opportunities.

Mr. Mott, believing that the community school concept is good for all people, began setting up regional centers to disseminate the community school philosophy, to prepare leaders to administer community schools, and to assist communities to implement that concept. Brigham Young University became the seventh of these regional centers on July 1, 1968.

On motion of Senator Dean the Senate resolved itself into a Committee of the Whole.

Mr. C. N. Ottosen, Insurance Commissioner of the State of Utah, appeared before the Committee of the Whole.

On motion of Senator Dean the Committee of the Whole was dissolved.

On motion of Senator Bullen, the Senate adjourned until Thursday, January 22, 1970 at 10:30 a.m.

ELEVENTH DAY

MORNING SESSION

January 22, 1970

The Senate was called to order at 10:30 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senators Evans and Whitman, excused.

Prayer by President Leland Pridy, Stake President, Alpine Stake, residing in American Fork.

January 22, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the tenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATION FROM THE HOUSE

January 21, 1970

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 21st day of January, 1970, approve and transmit to the Secretary of State, Concurrent Memorial No. 1, CONDOLENCES TO MRS. DAVID O. McKAY.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

INTRODUCTION OF BILLS

UTAH CONTROLLED DANGEROUS SUBSTANCES ACT

S. B. No. 21

By Messrs. Garfield, Greenwood and Barnett

AN ACT RELATING TO NARCOTICS AND DRUGS; PROVIDING FOR DEFINITIONS OF CONTROLLED DANGEROUS SUBSTANCES AND RELATED MATTERS; INSTITUTING CONTROLS OVER CONTROLLED DANGEROUS SUBSTANCES UNDER THE DIVISION OF DRUGS AND OTHER ENFORCEMENT AGENCIES; PROVIDING SCHEDULES OF CONTROLLED DANGEROUS SUBSTANCES AND FOR CHANGES IN SAME; PROVIDING FOR VIOLATIONS, PENALTIES AND PROBATION AND FOR ENHANCEMENT OF PENALTIES; PROVIDING ENFORCEMENT AND FOR POWERS CONCERNING SAME; PRESCRIBING FORFEITURES AND THE PROCEDURES REGARDING IT; PROVIDING FOR NUISANCES IN CERTAIN AREAS; PROVIDING CERTAIN RULES REGARDING BURDEN OF PROOF, LIABILITIES, AND REVIEW; AMENDING SECTION 58-17-14.12, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1965; AND REPEALING SECTIONS 76-42-8 AND 76-42-9, UTAH CODE ANNOTATED 1953; AS ENACTED BY CHAPTER 168, LAWS OF UTAH 1957, SECTION 58-17-14.13, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 117, LAWS OF UTAH 1965, AND ALL OF CHAPTERS 13a AND 33 OF TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Rules.

INSURANCE DISCRIMINATION

S. B. No. 22

By Messrs. Dean and Buckner

AN ACT ENACTING SECTION 31-27-24, UTAH CODE ANNOTATED 1953, RELATING TO INSURANCE DISCRIMINATION; PROVIDING THAT INSURANCE COMPANIES AND MEDICAL SERVICE CORPORATIONS MAY NOT DISCRIMINATE AGAINST PRACTITIONERS OF THE HEALING ARTS LICENSED TO DO BUSINESS; AND REPEALING SECTION 31-33-2.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 81, LAWS OF UTAH 1969, was read the first time and referred to the Committee on Rules.

On motion of Senator Pugh, the Senate adjourned until Friday, January 23, 1970 at 10 a.m.

TWELFTH DAY

MORNING SESSION

January 23, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Senator Richard A. Call.

January 23, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the eleventh day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 14 – SUB-POENA AND IMMUNITY POWERS – and has ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION
SUBPOENA AND IMMUNITY POWERS RESOLUTION

S. J. R. No. 6 By Messrs. Alsop, Greenwood and Barnett

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. No. 14 PROVIDING FOR ENLARGED SUBPOENA AND IMMUNITY FROM PROSECUTION POWERS, was read the first time.

On motion of Senator Alsop the Senate resolved itself into a Committee of the Whole.

Mr. Joseph P. McCarthy, Assistant Attorney General, appeared before the Committee of the Whole.

Representative Dean C. Christensen, appeared before the Committee of the Whole.

Mr. Conrad Fowler from Alabama, National Chairman of the County Officials, appeared before and addressed members of the Committee of the Whole.

On motion of Senator Ferry the Committee of the Whole was dissolved.

On motion of Senator Bunnell the rules were suspended and S. J. R. No. 6 was read the second and third times and placed on its final passage.

S. J. R. No. 6 failed to pass on the following roll call:

Yeas, 12; Nays, 12; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bunnell, Dean, Garfield, Greenwood, Leavitt, Petterson, Pugh, Welch and Mr. President.

Voting in the negative were: Senators Brockbank, Bullen, Burton, Call, Clark, Clyde, Evans, Ferry, Gardner, Mantes, Preece and Rees.

Absent and not voting were: Senators Beck, Harward, Jenkins and Whitman.

S. J. R. No. 6 was filed.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 18 – DIVISION OF DRUGS – and has ruled this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION DIVISION OF DRUGS RESOLUTION

S. J. R. No. 14 By Messrs. Alsop, Barnett, Greenwood, Dean and Petterson

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. No. 18 RELATING TO NARCOTICS AND DRUGS AND ENTITLED "DIVISION OF DRUGS," was read the first time.

On motion of Senator Alsop the Senate resolved itself into a Committee of the Whole.

Mr. Bruce Woolley, Executive Sec. of the Governor's Citizen Advisory Committee on Drug Abuse, appeared before the Committee of the Whole.

On motion of Senator Barnett the Committee of the Whole was dissolved.

On motion of Senator Pugh, the Senate adjourned until Monday, January 26, 1970 at 10:00 a.m.

FIFTEENTH DAY

MORNING SESSION

January 26, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman excused.

Prayer by Mr. Floyed G. Eyre.

January 26, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the Twelfth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

UNFINISHED BUSINESS

S. J. R. No. 14 being Unfinished Business, was before the Senate.

On motion of Senator Barnett, S. J. R. No. 14 was made a Special Order of Business for today at 10:30 a.m.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 17 – TRIPLICATE PRESCRIPTIONS – and has ruled this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION

TRIPPLICATE PRESCRIPTIONS RESOLUTION

S. J. R. No. 12

By Messrs. Alsop, Barnett and Greenwood

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 17 RELATING TO NARCOTICS AND DRUGS AND ENTITLED "TRIPPLICATE PRESCRIPTIONS," was read the first time.

On motion of Senator Evans, S. J. R. No. 12 was tabled.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate:

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 15 – FIRE FIGHTERS NEGOTIATION ACT – and has ruled that this is a non-budget-

ary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION

FIRE FIGHTERS NEGOTIATION ACT RESOLUTION

S. J. R. No. 15

By Messrs. Barnett and Petterson

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 15 A FIRE FIGHTERS NEGOTIATION ACT, was read the first time.

On motion of Senator Preece, S. J. R. No. 15 was tabled.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 19 – BASIC SCIENCE LAW EXEMPTION – and has ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

**PRESENTATION OF RESOLUTION
BASIC SCIENCE LAW RESOLUTION**

S. J. R. No. 9 By Messrs. Leavitt, Garfield and Greenwood

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 19 ENTITLED "BASIC SCIENCE LAW EXEMPTIONS," was read the first time.

On motion of Senator Leavitt the rules were suspended and S. J. R. No. 9 was read the second and third times and placed on its final passage.

Senator Leavitt, with the aid of five senators, requested a Call of the Senate.

On motion of Senator Leavitt, the Call of the Senate was lifted.

S. J. R. No. 9 then passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Petterson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Ferry and Whitman.

S. J. R. No. 9 was transmitted to the House.

SPECIAL ORDER

S. J. R. No. 14 being a Special Order of Business, was before the Senate.

On motion of Senator Call, S. J. R. No. 14 was amended as follows:

Page 1, line 4, after the word "of" insert the word "Substitute".

Line 2 of the title after the word "OF" INSERT THE WORD "SUBSTITUTE".

On motion of Senator Barnett the rules were suspended and S. J. R. No. 14 was read the second and third times and placed on its final passage.

S. J. R. No. 14 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clyde, Dean, Evans, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Clark, Ferry, Gardner and Whitman.

S. J. R. No. 14 was transmitted to the House.

RULES COMMITTEE REPORT

January 21, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill 20 - FUNDS FOR REDEVELOPMENT AGENCIES - and has ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION

FUNDS FOR REDEVELOPMENT AGENCIES RESOLUTION

S. J. R. No. 10

By Messrs. Brockbank, Burton and Evans

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUC-

TION AND CONSIDERATION OF S. B. NO. 20 AMENDING THE UTAH NEIGHBORHOOD REDEVELOPMENT ACT, was read the first time.

On motion of Senator Brockbank the rules were suspended and S. J. R. No. 10 was read the second and third times and placed on its final passage.

S. J. R. No. 10 then passed on the following roll call:

Yeas, 23, Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clyde, Dean, Evans, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Beck, Clark, Ferry, Gardner and Whitman.

S. J. R. No. 10 was transmitted to the House.

PRESENTATION OF RESOLUTION

HEALTH, EDUCATION AND WELFARE RESOLUTION

S. J. R. No. 11

By Messrs. Evans, Beck, Bunnell and Dean

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO APPROVE AN APPROPRIATIONS BILL FOR HEALTH, EDUCATION, AND WELFARE PURPOSES WHICH CONTAINS SUFFICIENT FUNDS TO MAINTAIN FEDERAL EXPENDITURES FOR EDUCATION IN UTAH AT CURRENT LEVELS, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

COUNTY SERVICE AREA ACT AMENDMENTS

S. B. No. 23

By Messrs. Pugh and Mantes

AN ACT AMENDING THE COUNTY SERVICE AREA ACT BY AMENDING SECTION 17-29-10.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 44, LAWS OF UTAH 1969, SECTIONS 17-29-21 AND 17-29-23, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1967, AND SECTION 17-29-24, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1961, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1967, AS AMENDED BY CHAPTER 44, LAWS OF UTAH 1969, RELATING TO BONDS AND INDEBTEDNESS OF COUNTY SERVICE AREAS; PRESCRIBING WHO MAY BE ELECTORS IN BOND ELECTIONS IN SUCH AREAS; AND PROVIDING FOR THE INTEREST RATES THAT SUCH BONDS MAY CARRY, was read the first time and referred to the Committee on Rules.

MEMBERS TO THE STATE BOARD OF HIGHER EDUCATION

S. B. No. 24 By Messrs. Leavitt, Bullen, Brockbank, Jenkins and Bunnell

AN ACT AMENDING SECTION 53-48-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 138, LAWS OF UTAH 1969; RELATING TO THE APPOINTMENT OF MEMBERS OF THE STATE BOARD OF HIGHER EDUCATION; PROVIDING FOR THE APPOINTMENT OF ALL FIFTEEN MEMBERS OF SUCH BOARD BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE; AND ESTABLISHING THE TERMS OF OFFICE OF SAID APPOINTEES, was read the first time and referred to the Committee on Rules.

RULES COMMITTEE REPORT

January 26, 1970

Mr. President:

Your Committee on RULES to which were referred S. B. Nos. 1-2-3-4-5-6-7-8-9-10, has carefully considered said bills and reports the same out and recommends the same be printed and under suspension of the rules be referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

S. B. Nos. 1-2-3-4-5-6-7-8-9-10 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 1 was read the second time.

On motion of Senator Brockbank, S. B. No. 1 was amended as follows:

Page 1, line 11, after the word "upon" insert "after receiving at least three bids".

On motion of Senator Pugh the rules were suspended and S. B. No. 1 was read the third time and placed on its final passage.

S. B. No. 1 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Alsop, Beck, Brockbank, Buckner, Bullen, Bunnell, Call, Clyde, Dean, Evans, Garfield, Harward, Jenkins, Leavitt, Mantes, Pettersson, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Barnett, Burton, Clark, Ferry, Gardner, Greenwood, Preece and Whitman.

S. B. No. 2 was read the second time.

On motion of Senator Pugh the Senate resolved itself into a Committee of the Whole.

Mr. Harold Waldo Jr., attorney at law – Bond Counsel, appeared before the Committee of the Whole.

On motion of Senator Brockbank the Committee of the Whole was dissolved.

On motion of Senator Brockbank, S. B. No. 2 was made a Special Order of Business for today at 2:00 p.m.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now reconsider its action on S. B. No. 1.

S. B. No. 1 was placed on the third reading calendar.

On motion of Senator Pugh, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

COMMUNICATIONS FROM THE HOUSE

January 26, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 6, by Mr. Howe, et al., STATE HOLIDAYS RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN
Chief Clerk

Communication filed.

H. J. R. No. 6 was read the first time.

On motion of Senator Leavitt the rules were suspended and H. J. R. No. 6 was placed on the Second Reading Calendar.

SPECIAL ORDER

S. B. No. 2 being a Special Order of Business was before the Senate.

On motion of Senator Pugh the Senate resolved itself into a Committee of the Whole.

Mr. Harold Waldo Jr., attorney at law — Bond Counsel, appeared before the Committee of the Whole.

On motion of Senator Brockbank the Committee of the Whole was dissolved.

On motion of Senator Brockbank S. B. Nos. 2-3-4-5-6-7-8-9 and 10 were made a Special Order of Business for tomorrow January 27, 1970 at 10:00 a.m.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to place S. B. No. 3 at the head of the Special Order agenda to be considered on Tuesday, January 27, 1970 at 10:00 a.m.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now place S. B. No. 1 immediately following S. B. No. 3 as a Special Order of Business for Tuesday, January 27, 1970 at 10:00 a.m.

COMMUNICATIONS FROM THE HOUSE

January 26, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 3, by Mr. Florence, et al., FARM LAND ASSESSMENT

ACT EFFECTIVE DATE, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN
Chief Clerk

Communication filed.

H. B. No. 3 was read the first time and referred to the Committee on Rules.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 4, by Mr. Darger, et al., FEES OF FINANCIAL INSTITUTIONS, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN
Chief Clerk

Communication filed.

H. B. No. 4 was read the first time and referred to the Committee on Rules.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, S. J. R. No. 8, by Mr. Brockbank, et al., INSURANCE FUND TRANSFER REPEAL RESOLUTION, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN
Chief Clerk

Communication filed.

S. J. R. No. 8 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 26, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, as amended by the House, S. J. R. No. 5, by Mr. Leavitt, et al., **STUDY OF FINDING SALT LAKE COUNTY-SALT LAKE CITY HEALTH DEPARTMENTS MERGER**, as the House has ruled that this resolution must receive a constitutional majority for passage, and the same is returned herewith.

Respectfully,

GERALD R. HANSEN
Chief Clerk

Communication filed.

S. J. R. No. 5 filed.

On motion of Senator Pugh, the Senate adjourned until Tuesday, January 27, 1970 at 10:00 a.m.

SIXTEENTH DAY

MORNING SESSION

January 27, 1970

The Senate was called to order at 10:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Mr. Ferris Allen, Sergeant-at-arms.

January 27, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the Fifteenth day and find it correct with minor

amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH

Office of the Governor

CALVIN L. RAMPTON
Governor

January 12, 1970

The Honorable Haven J. Barlow
President of the Senate
and
Members of the Utah State Senate

Gentlemen:

In accordance with the powers vested in me by the Constitution and the laws of the State of Utah, I have appointed and recommend to you for confirmation the following named individuals for service in the government of the State of Utah in the offices and positions and for the terms as indicated:

University of Utah Institutional Council

<u>Name</u>	<u>Address</u>	<u>For a Term Expiring</u>
Robert H. Hinckley, Eden		June 30, 1973
Fullmer H. Latter, Murray		June 30, 1971

Board of State History

Dello Dayton, Ogden		July 1, 1971
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Board of Industrial Promotion

Loren C. Dunn, Holladay		March 15, 1973
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Board of Aging

Dr. Bruce Walters, Salt Lake City		May 13, 1970
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Board of Mental Health

Kay Allen, Murray March 1, 1971

Board of Corrections

Sylvester L. DiBella, Murray March 1, 1971

Board of Parks and Recreation

J. Mike Monson, Ogden June 30, 1973

Board on Indian Affairs

McKay Pickyvit, Meadow March 1, 1973

Liquor Control Commission

Grove Cook, Salt Lake City May 13, 1971
 Norma G. Thomas, Provo May 13, 1975
 Gerald Irvine, Salt Lake City May 13, 1973

Passenger Tramway Safety Board

Chandler P. St. John, Salt Lake City June 30, 1970
 J. Edward Immergluck, Salt Lake City June 30, 1971
 Charles Morton, Alta June 30, 1970
 Roy C. Nelson, Ogden June 30, 1972
 Edwin L. Madsen, Salt Lake City June 30, 1971
 James Quigley, Eureka June 30, 1972

Respectfully submitted,

CALVIN L. RAMPTON
 Governor

Communication referred to the Special Committee on Appointments.

STATE OF UTAH
 Office of the Governor

CALVIN L. RAMPTON
 Governor

January 26, 1970

The Honorable Haven J. Barlow
 President of the Senate
 and
 Members of the Utah State Senate

Gentlemen:

On January 12, 1970 I submitted to you for confirmation the appointment of Grove L. Cook to the Utah Liquor Control Commission. Since that date Mr. Cook has submitted his resignation to me, and has recommended that the Director of the Commission serve as one of the commissioners, in addition to his duties as Director.

I have accepted Mr. Cook's resignation, effective as of February 15, 1970. I have conferred with the Attorney General, and have been advised that the Director of the Commission may legally serve as one of the commissioners.

I am, therefore, appointing and recommending to you for confirmation as a member of the Utah Liquor Control Commission, Mr. Sharp M. Larsen, for a term to commence February 18, 1970 and terminating May 13, 1971.

Respectfully,

CALVIN L. RAMPTON
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

January 26, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. J. R. No. 4, by Mr. Clark, et al., STATE SCHOOL BUILDING AID RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 4 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 26, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this

day passed, as amended by the Senate, S. J. R. No. 9, by Mr. Leavitt, et al., BASIC SCIENCE LAW RESOLUTION, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 9 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

January 27, 1970

Mr. President:

Your Committee on Rules to which were referred S. B. Nos. 12-13-19 have considered said bills and reports the same out and recommends the same be printed and under suspension of the rules be referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

S. B. Nos. 12-13-19 were placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 27, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting:

S. B. 21 - Utah Controlled Dangerous Substances Act

Senator Dean, with the aid of five senators, requested a Call of the Senate.

On motion of Senator Dean, the Call of the Senate was lifted.

S. J. R. No. 16 then passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Burton, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Pugh and Mr. President.

Voting in the negative were: Senators Brockbank, Call, Rees and Welch.

Absent and not voting were: Senators Beck, Preece and Whitman.

S. J. R. No. 16 was transmitted to the House.

PRESENTATION OF RESOLUTION COUNTY SERVICE AREA ACT RESOLUTION

S. J. R. No. 17

By Messrs. Pugh and Mantes

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 23 ENTITLED "COUNTY SERVICE AREA ACT AMENDMENTS," was read the first time.

On motion of Senator Pugh the rules were suspended and S. J. R. No. 17 was read the second and third times and placed on its final passage.

S. J. R. No. 17 then passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Pettersson.

Absent and not voting were: Senators Preece and Whitman.

S. J. R. No. 17 was transmitted to the House.

PRESENTATION OF RESOLUTION

STATE BOARD OF HIGHER EDUCATION RESOLUTION

S. J. R. No. 19

By Messrs. Leavitt, Bullen, Brockbank, Jenkins
and Bunnell

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 24 ENTITLED "MEMBERS TO THE STATE BOARD OF HIGHER EDUCATION", was read the first time.

On motion of Senator Brockbank the rules were suspended and S. J. R. No. 19 was read the second and third times and placed on its final passage.

S. J. R. No. 19 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Alsop, Beck, Brockbank, Bullen, Bunnell, Burton, Call, Clark, Clyde, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Petterson, Pugh, Welch and Mr. President.

Voting in the negative was: Senator Dean.

Absent and not voting were: Senators Barnett, Buckner, Preece, Rees and Whitman.

S. J. R. No. 19 was transmitted to the House.

SPECIAL ORDER

S. B. No. 3 being a Special Order of Business, was before the Senate.

S. B. No. 3 was read the second time.

On motion of Senator Pugh the title of S. B. No. 3 was amended as follows:

Following line 12, delete the period then insert ", AND PROVIDING A SEVERABILITY CLAUSE".

On motion of Senator Pugh, S. B. No. 3 was amended as follows:

Page 2, line 4 – following the word “election”, insert the following:

or if the municipality is not a county, school district, city or town which is subject to the provisions of Article XIV, Section 3, Utah Constitution and hence the limitations of such section are inapplicable to a bond election held by such a municipality,

On motion of Senator Brockbank, S. B. No. 3 was further amended as follows:

Page 3, line 10, delete the word “such” then after the word “at” insert the words “the lowest”. Also on the same line after the word “rates” insert the word “obtainable,”.

On motion of Senator Pugh the rules were suspended and S. B. No. 3 was read the third time and placed on its final passage.

S. B. No. 3 then passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Pettersson.

Absent and not voting were: Senators Gardner and Whitman.

S. B. No. 3 was transmitted to the House.

S. B. No. 2 being a Special Order of Business, was before the Senate.

S. B. No. 2 having been previously read was before the Senate.

On motion of Senator Pugh the Senate resolved itself into a Committee of the Whole.

Mr. Fred Finlinson and Mrs. Eleanor Olsen, appeared before the Committee of the Whole to inform the members of the Senate with regards to the Legislative Ball which is to be held Wednesday, January 28, 1970.

On motion of Senator Pugh the Committee of the Whole was dissolved.

On motion of Senator Pugh the rules were suspended and S. B. No. 2 was read the third time and placed on its final passage.

S. B. No. 2 then passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Bullen, Bunnell, Burton, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Call and Pettersson.

Absent and not voting were: Senators Buckner, Gardner and Whitman.

S. B. No. 2 was transmitted to the House.

S. B. No. 4 being a Special Order of Business, was before the Senate.

S. B. No. 4 was read the second time.

On motion of Senator Brockbank, S. B. No. 4 was amended as follows: Page 8, line 10, delete the word "such" then after the word "at" insert the words "the lowest". Also on the same line after the word "rates" insert the word "obtainable".

On motion of Senator Pugh the rules were suspended and S. B. No. 4 was read the third time and placed on its final passage.

S. B. No. 4 then passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators Barnett, Brockbank, Buckner, Bullen, Bunnell, Burton, Clark, Clyde, Dean, Evans, Ferry, Garfield, Harward, Jenkins, Leavitt, Mantes, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Call, Greenwood, Pettersson and Preece.

Absent and not voting were: Senators Alsop, Beck, Gardner and Whitman.

S. B. No. 4 was transmitted to the House.

S. B. No. 5 being a Special Order of Business, was before the Senate.

S. B. No. 5 was read the second time.

On motion of Senator Brockbank, S. B. No. 5 was amended as follows:

Page 1, line 11, delete the word "such" then after the word "at" insert the words "the lowest." Also on the same page line 12, after the word "rates" insert the word "obtainable".

On motion of Senator Rees the rules were suspended and S. B. No. 5 was read the third time and placed on its final passage.

S. B. No. 5 then passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Alsop, Brockbank, Buckner, Bullen, Burton, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Call and Pettersson.

Absent and not voting were: Senators Barnett, Beck, Bunnell, Gardner and Whitman.

S. B. No. 5 was transmitted to the House.

S. B. No. 6 being a Special Order of Business, was before the Senate.

S. B. No. 6 was read the second time.

On motion of Senator Brockbank, S. B. No. 6 was amended as follows:

Page 3, line 19, delete the word "such" then after the word "at" insert the words "the lowest". Also on the same line after the word "rates" insert the word "obtainable".

On motion of Senator Pugh the rules were suspended and S. B. No. 6 was read the third time and placed on its final passage.

S. B. No. 6 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Bunnell, Gardner and Whitman.

S. B. No. 6 was transmitted to the House.

On motion of Senator Pugh the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

INTRODUCTION OF BILLS

APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO STATE COLLECTOR ROAD FUND

S. B. No. 25

By Messrs. Pugh and Bunnell

AN ACT AMENDING SECTION 27-13-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 88, LAWS OF UTAH 1989, RELATING TO FINANCES OF THE STATE ROAD COMMISSION AND APPROPRIATIONS TO THE STATE COLLECTOR ROAD FUND; PROVIDING FOR APPROPRIATIONS FOR STATE COLLECTOR ROADS FROM MONEY RECEIVED IN THE HIGHWAY CONSTRUCTION AND MAINTENANCE FUND FROM THE EXCISE TAX IMPOSED UPON MOTOR FUELS AND SPECIAL FUELS LESS CERTAIN DEDUCTIONS, was read the first time and referred to the Committee on Rules.

APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO CLASS B AND CLASS C ROADS

S. B. No. 26

By Mr. Pugh

AN ACT AMENDING SECTION 27-12-127, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1963, AS AMENDED BY CHAPTER 55, LAWS OF UTAH 1967, RELATING TO FINANCES OF THE STATE ROAD COMMISSION REGARDING CERTAIN ROADS; PROVIDING ANNUAL APPROPRIATION FOR USE ON CLASS B AND C ROADS FROM MONEYS IN THE HIGHWAY CONSTRUCTION AND MAINTENANCE FUND DERIVED FROM MOTOR VEHICLE REGISTRATION REVENUE LESS CERTAIN DEDUCTIONS; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

STUDENT LOAN PROGRAM

S. B. No. 27

By Messrs. Bullen, Jenkins and Leavitt

AN ACT AMENDING SECTION 53-47-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 152, LAWS OF UTAH 1969; PROVIDING FOR AN INCREASE IN THE AMOUNT OF THE LOAN FROM THE STATE INSURANCE FUND TO THE STATE STUDENT LOAN FUND, was read the first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER

S. J. R. No. 22

By Messrs. Leavitt, Call and Dean

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE LEGISLATIVE COUNCIL TO STUDY AND TO MAKE RECOMMENDATIONS TO THE REGULAR SESSION OF THE 39TH LEGISLATURE REGARDING THE FUNDING OF COUNTY HEALTH DEPARTMENTS AND CITY HEALTH DEPARTMENTS FOR INTRODUCTION AT THE REGULAR SESSION OF THE 39TH LEGISLATURE OF THE STATE OF UTAH, was read the first time and referred to the Committee on Rules.

SPECIAL ORDER

S. B. No. 7 being a Special Order of Business, was before the Senate.

S. B. No. 7 was read the second time.

On motion of Senator Brockbank, S. B. No. 7 was amended as follows:

Page 2, line 30 delete the word "such" then after the word "at" insert the words "the lowest". Also on the same line after the word "rates" insert the word "obtainable".

On motion of Senator Brockbank the rules were suspended and S. B. No. 7 was read the third time and placed on its final passage.

S. B. No. 7 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Bullen, Bunnell, Burton, Call, Clark, Dean, Evans, Ferry, Garfield, Greenwood, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees and Mr. President.

Absent and not voting were: Senators Buckner, Clyde, Gardner, Harward, Jenkins, Welch and Whitman.

S. B. No. 7 was transmitted to the House.

S. B. No. 8 being a Special Order of Business was before the Senate.

S. B. No. 8 was read the second time.

On motion of Senator Rees the rules were suspended and S. B. No. 8 was read the third time and placed on its final passage.

S. B. No. 8 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Greenwood, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Pettersson.

Absent and not voting were: Senators Beck, Buckner, Gardner, Garfield, Harward, Jenkins and Whitman.

S. B. No. 8 was transmitted to the House.

S. B. No. 9 being a Special Order of Business, was before the Senate.

S. B. No. 9 was read the second time.

On motion of Senator Brockbank, S. B. No. 9 was amended as follows:

Page 2, lines 3 and 4, bracket the words "respective governing boards, hereinafter in this chapter referred to as the board."

Page 2, line 3, after the word "the" insert these words "State Board of Higher Education on behalf".

Page 2, line 8, delete the words "are each".

Page 2, preceding the word "authorized" insert the word "is".

Page 3, line 28, delete "fifty" then insert in lieu thereof "forty".

On motion of Senator Brockbank the title of S. B. No. 9 was amended as follows:

Line 20 of the title add: "PROVIDING AN EFFECTIVE DATE".

On motion of Senator Brockbank, S. B. No. 9 was further amended as follows:

Page 4, line 1, delete the word "any" then following the word "bear" insert the words "the lowest obtainable".

On motion of Senator Pugh the rules were suspended and S. B. No. 9 was read the third time and placed on its final passage.

S. B. No. 9 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Bullen, Bunnell, Burton, Call, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Buckner, Clark, Harward, Jenkins and Whitman.

S. B. No. 9 was transmitted to the House.

S. B. No. 10 being a Special Order of Business, was before the Senate.

S. B. No. 10 was read the second time.

On motion of Senator Pugh the rules were suspended and S. B. No. 10 was read the third time and placed on its final passage.

S. B. No. 10 then passed on the following roll call:

Yeas, 18; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators Barnett, Beck, Brockbank, Bunnell, Burton, Clark, Clyde, Dean, Evans, Ferry, Garfield, Harward, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Alsop, Bullen, Call, Greenwood and Pottersson.

Absent and not voting were: Senators Buckner, Gardner, Jenkins, Leavitt and Whitman.

S. B. No. 10 was transmitted to the House.

S. B. No. 1 being a Special Order of Business, was before the Senate for reconsideration.

On motion of Senator Brockbank, S. B. No. 1 was amended as follows:

Page 1, line 11, after the word "upon," delete the words "after receiving at least 3 bids".

Page 1, line 9, delete the word "such" insert the words "the lowest".

Page 1, line 10, after the word "interest" insert the word "obtainable".

Page 1, lines 10 and 11 delete the words "as it may agree upon;".

S. B. No. 1 then passed upon reconsideration on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Bullen, Bunnell, Burton, Call, Clark, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pottersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Buckner, Clyde, Gardner and Whitman.

S. B. No. 1 upon reconsideration was transmitted to the House.

On motion of Senator Burton, the Senate resolved itself into Executive Session.

On motion of Senator Pugh, the Senate resolved itself into Regular Session.

RULES COMMITTEE REPORT

January 27, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting S. J. R. NO. 22 STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENT MERGER – and has ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION

STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER RESOLUTION

S. J. R. No. 23

By Messrs. Leavitt, Call and Dean

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. J. R. NO. 22 ENTITLED "STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER", was read the first time.

On motion of Senator Leavitt the rules were suspended and S. J. R. No. 23 was read the second and third times and placed on its final passage.

S. J. R. No. 23 then passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Gardner and Whitman.

S. J. R. No. 23 was transmitted to the House.

On motion of Senator Pugh, the Senate adjourned until Wednesday, January 28, 1970 at 2:00 p.m.

SEVENTEENTH DAY

AFTERNOON SESSION

January 28, 1970

The Senate was called to order at 2:00 p.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Mr. Lewis H. Lloyd – Director of the Utah Legislative Council.

January 28, 1970

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the Sixteenth day and find it correct with minor

amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, S. J. R. No. 14, by Mr. Alsop, et al., DIVISION OF DRUGS RESOLUTION, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 14 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, S. J. R. No. 10, by Mr. Brockbank, et al., FUNDS FOR REDEVELOPMENT AGENCIES RESOLUTION, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 10 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 5, by Mr. Florence, et al., PROPERTY APPRAISAL PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 5 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, upon reconsideration, passed H. J. R. No. 5, by Mr. Carling, et al., INDIVIDUAL INCOME TAX CREDITS, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 5 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, upon reconsideration, passed H. J. R. No. 7, by Mr. Howe, et al., SMALL CLAIMS COURT RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 7 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed Substitute H. J. R. No. 9, by Mr. Jensen, et al, HEALTH, EDUCATION AND WELFARE RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 9 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 11, by Mr. Judd, et al., COMMON DAY OF REST ACT RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 11 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, upon reconsideration, passed H. J. R. No. 12, by Mr. Gunnell, et al., ELECTION ADVERTISING EXPENSE ACT RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 12 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 14, by Mr. Halverson, et al., LEGISLATIVE COUNCIL REORGANIZATION RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 14 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 15, by Mr. Madsen, et al., ARRESTS FOR VIOLATIONS OF DRUG ABUSE CONTROL LAW RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 15 was read the first time and referred to the Committee on Rules.

January 27, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day

passed H. J. R. No. 16, by Mr. Madsen, et al., ARRESTS FOR VIOLATIONS OF UNIFORM NARCOTIC ACT RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 16 was read the first time and referred to the Committee on Rules.

RULES COMMITTEE REPORTS

January 28, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting:

H. B. No. 3 FARMLAND ASSESSMENT ACT

H. B. No. 4 FEES OF FINANCIAL INSTITUTIONS

We have ruled that these bills are of a budgetary nature. We further recommend that under suspension of the rules the same be referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

H. B. Nos. 3-4 were placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 28, 1970

Mr. President:

Your Committee on Rules to which were referred S. B. No. 18 - DIVISION OF DRUGS - S. B. NO. 20 - FUNDS FOR REDEVELOPMENT AGENCIES - has carefully considered said bills and reports the same out and recommends the same be printed and under suspension of the rules be

referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

S. B. Nos. 18-20 were placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 28, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting S. B. No. 25 (APPROPRIATING HIGHWAY CONSTRUCTION AND MAINTENANCE FUND) – S. B. No. 26 (APPROPRIATING FROM HIGHWAY AND MAINTENANCE FUND).

We have ruled that these bills are of a non-budgetary nature and would recommend that the Senate Joint Resolutions be considered by the Senate to determine whether they wish to act upon these measures.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTIONS

APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO STATE COLLECTOR ROAD FUND RESOLUTION

S. J. R. No. 20

By Messrs. Pugh and Bunnell

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 25 ENTITLED "APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO STATE COLLECTOR ROAD FUND", was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

**APPROPRIATION FROM HIGHWAY CONSTRUCTION AND
MAINTENANCE FUND TO CLASS B AND CLASS C ROADS
RESOLUTION**

S. J. R. No. 21

By Messrs. Pugh and Bunnell

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 26 ENTITLED "APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO CLASS B AND CLASS C ROADS", was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 6 was read the second time.

On motion of Senator Clark the rules were suspended and H. J. R. No. 6 was read the third time and placed on its final passage.

H. J. R. No. 6 then passed on the following roll call:

Yeas, 23; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Evans, Ferry, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Burton and Garfield.

Absent and not voting were: Senators Gardner, Harward and Whitman.

H. J. R. No. 6 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

S. B. No. 12 was read the second time.

On motion of Senator Brockbank the rules were suspended and S. B. No. 12 was read the third time and placed on its final passage.

S. B. No. 12 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Dean, Evans, Garfield, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Clyde, Ferry, Gardner, Harward and Whitman.

S. B. No. 12 was transmitted to the House.

S. B. No. 13 was read the second time.

On motion of Senator Clark the Senate resolved itself into a Committee of the Whole.

Dr. Maurice Barnett, appeared before the Committee of the Whole.

On motion of Senator Brockbank the Committee of the Whole was dissolved.

On motion of Senator Brockbank, S. B. No. 13 was made a Special Order of Business for Thursday, January 29, 1970 at 11:00 a.m.

On motion of Senator Buckner, the rules were suspended and the Senate voted to lift H. J. R. No. 11 from the Rules Committee and place it as a Special Order of Business for Thursday, January 29, 1970 at 10:00 a.m.

On motion of Senator Pugh, the Senate adjourned until Thursday, January 29, 1970 at 9:00 a.m.

EIGHTEENTH DAY

MORNING SESSION

January 29, 1970

The Senate was called to order at 9:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Dr. LeRoy J. Buckmiller, Former President of the London Temple.

January 29, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the Seventeenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 23, by Mr. Leavitt, et al., **STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER RESOLUTION**, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 23 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 16, by Mr. Dean, et al., INSURANCE DISCRIMINATION RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 16 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 17, by Mr. Pugh, et al., COUNTY SERVICE AREA ACT RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 17 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 19, by Mr. Leavitt, et al., STATE BOARD OF HIGHER EDUCATION RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 19 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 28, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 18, by Mr. Redd, et al., SCHOOL FINANCE PROGRAM RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 18 was read the first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

MODEL INSURANCE HOLDING COMPANY REGULATORY ACT

S. J. R. No. 24

By Messrs. Dean and Buckner

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH PERMITTING INTRODUCTION AND CONSIDERATION OF LEGISLATION ENACTING THE MODEL INSURANCE HOLDING COMPANY REGULATORY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, was read the first time and referred to the Committee on Rules.

RULES COMMITTEE REPORT

January 29, 1970

Mr. President:

Your Committee on Rules to which were referred S. J. R. NO. 22 – STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER – S. B. NO. 22 INSURANCE DISCRIMINATION – S. B. NO. 23 – COUNTY SERVICE AREA ACT – S. B. NO. 24 STATE BOARD OF HIGHER EDUCATION – has carefully considered said bills and reports the same out and recommends the same be printed and under suspension of the rules be referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

S. J. R. NO. 22 – S. B. NO. 22 – S. B. NO. 23 and S. B. NO. 24 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 19 was read the second time.

On motion of Senator Leavitt, S. B. No. 19 was amended as follows:

Page 1, Line 17: Insert after the words "healing art" the words "or composed by this national board and given by a state or federal licensing authority".

On motion of Senator Leavitt the rules were suspended and S. B. No. 19 was read the third time and placed on its final passage.

S. B. No. 19 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Beck, Jenkins, Mantes and Whitman.

S. B. No. 19 was transmitted to the House.

H. B. No. 3 was read the second time.

On motion of Senator Bullen the rules were suspended and H. B. No. 3 was read the third time and placed on its final passage.

H. B. No. 3 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Ferry, Garfield, Greenwood, Harward, Leavitt, Pettersson, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Beck, Dean, Evans, Gardner, Jenkins, Mantes, Preece and Whitman.

H. B. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

H. B. No. 4 was read the second time.

On motion of Senator Pugh the rules were suspended and H. B. No. 4 was read the third time and placed on its final passage.

H. B. No. 4 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh and Welch.

Voting in the negative was: Senator Rees.

Absent and not voting were: Senators Alsop, Dean, Gardner, Whitman and Mr. President.

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

S. B. No. 18 was read the second time.

On motion of Senator Alsop, the rules were suspended and the senate voted to amend the original S. B. No. 18 that was introduced on the ninth

day of this session January 19, 1970 by deleting all the body and the title and then inserting in lieu thereof the following:

UTAH DIVISION OF DRUGS

Substitute

S. B. No. 18

By Messrs. Alsop, Greenwood, Barnett and Dean

- 1 AN ACT AMENDING SECTION 63-35-3, UTAH CODE ANNO-
- 2 TATED 1953, AS ENACTED
- 3 BY CHAPTER 174, LAWS OF UTAH 1967, AS AMENDED BY CHAP-
- 4 TER 197,
- 5 LAWS OF UTAH 1969, RELATING TO SUBSTITUTE S. B. NO. 18
- 6 DRUG ABUSE; PROVIDING FOR THE
- 7 CREATION OF A BOARD AND A DIVISION OF DRUGS WITHIN
- 8 THE DEPARTMENT
- 9 OF SOCIAL SERVICES; PROVIDING FOR THE POWERS AND
- 10 DUTIES OF THE
- 11 BOARD AND THE DIVISION OF DRUGS AND FOR THEIR COM-
- 12 POSITION; AND
- 13 PROVIDING AN EFFECTIVE DATE,
- 14

Be it enacted by the Legislature of the State of Utah:

- 1 Section 1. Section 63-35-3, Utah Code Annotated 1953, as enacted
- 2 by Chapter 174, Laws of Utah 1967, as amended by Chapter 197, Laws
- 3 of Utah 1969, is amended to read:

- 4 63-35-3. There is created within the government of the state
- 5 of Utah a department of social services. There is created within
- 6 the department of social services the following boards:

- 7 (1) Board of health.
- 8 (2) Board of family services.
- 9 (3) Board of corrections.
- 10 (4) Board of pardons.
- 11 (5) Board of mental health.
- 12 (6) Board of Indian affairs.
- 13 (7) Board of aging.
- 14 (8) Board of drugs.

1 And the following divisions:

- 2 (1) Division of health.
- 3 (2) Division of family services.
- 4 (3) Division of corrections.

- 5 (4) Division of mental health.
- 6 (5) Division of Indian affairs.
- 7 (6) Division of aging.
- 8 (7) Division of drugs.

9 Section 2. There is created within the department of social
 10 services a board of drugs which shall be comprised of five members
 11 appointed by the governor, with the advice and consent of the senate.
 12 One member of the board of drugs shall be duly licensed to practice
 13 medicine in the State of Utah; another member of the board of drugs
 14 shall be a registered pharmacist who is duly licensed to practice in
 15 the State of Utah. Of the first appointments to the board of drugs,
 16 the terms of office of three members shall expire on March 1, 1971,
 17 and the terms of office of the remaining two members shall expire on
 18 March 1, 1973. All subsequent appointments shall be for terms of
 19 four years each. Not more than three members shall be from the same
 20 political party. Vacancies occurring by reason of death, resignation,
 21 or any other cause, shall be filled by the appointment of another person
 22 by the governor, with the advice and consent of the senate, for the
 23 unexpired term of the person whose office has been thus vacated.

24 The board shall elect its chairman from its membership and shall
 25 meet at least once every three months, and upon such other occasions
 26 as the chairman may deem necessary or up the request of any three
 27 members of the board or the governor. Three members of the board
 28 shall constitute a quorum for the transaction of its business.

29 Members of the board shall receive a per diem allowance as
 30 approved by the board of examiners plus all actual and necessary
 31 expenses incurred in the performance of their official duties.

32 Section 3. The board of drugs shall be the policy-making body

- 2 -

1 for the division of drugs. The board shall establish programs and
 2 policies for discharging the responsibilities of the division of drugs.

3 Section 4. There is created the division of drugs, which shall
 4 be within the department of social services under the administration
 5 and general supervision of the executive director of social services
 6 and under the policy direction of the board of drugs. The division
 7 of drugs shall have the following duties and responsibilities:

8 (1) To educate the public regarding the nature and consequences
 9 of drug abuse.

10 (2) To establish programs for the prevention of drug abuse.

11 (3) To disseminate information relating to public and private
12 services and facilities in the state which are available for the
13 assistance of drug abusers and potential drug abusers.

14 (4) To establish and administer programs and projects for
15 rehabilitation of drug abusers, including, but not limited to, centers
16 for diagnosis, evaluation and treatment.

17 (5) To make a continuing study of drug abuse in the State of
18 Utah and, from time to time, to submit to the governor and to the
19 legislature recommendations for changes in policy and/or legislation.

20 In carrying out its duties and responsibilities, the division of
21 drugs shall not duplicate treatment or educational facilities presently
22 existing in other divisions or departments of the government of the
23 State of Utah, but shall work in conjunction with such other divisions
24 and departments in rendering the treatment or educational services which
25 such other divisions and departments are competent and able to provide.

26 Section 5. The director of the division of drugs shall be appointed
27 by the board of drugs, with the concurrence of the executive director of
28 social services. The director shall receive compensation as approved
29 by the board of examiners. The director shall be the executive and
30 administrative head of the division of drugs. He shall be experienced
31 in administration and shall be knowledgeable in matters concerning
32 drug abuse. The division of drugs may employ such other employees as

- 3 -

1 may be necessary to implement the provisions of this act.

2 Section 6. There is hereby created the interdepartmental
3 coordinating council on drug programs. The council shall consist
4 of:

- 5 (1) The state planning coordinator.
- 6 (2) The executive director of the department of social services.
- 7 (3) The director of the division of drugs.
- 8 (4) The director of the division of health.
- 9 (5) The director of the division of mental health.
- 10 (6) The director of the division of family services.
- 11 (7) The director of the division of corrections.
- 12 (8) The director of the division of alcoholism.
- 13 (9) The commissioner of public safety, or his designee.
- 14 (10) A district judge, to be designated by the governor.
- 15 (11) A juvenile court judge, to be designated by the governor.
- 16 (12) A city judge, to be designated by the governor.

- 17 (13) The superintendent of public instruction, or his designee.
 18 (14) The commissioner of higher education, or his designee.
 19 (15) The director of business regulation, or his designee.
 20 (16) Such other persons as the governor may deem advisable to
 21 have serve on such council to properly fulfill the functions
 22 thereof.

23 Persons designated by the governor to serve on such council shall
 24 serve at the pleasure of the governor. The state planning coordinator
 25 shall serve as chairman of the council. The council shall meet once
 26 every three months, and at such other times as requested by the governor
 27 or the chairman of the council.

28 It shall be the duty of the council to carry on a continuous
 29 review of the programs within the government of the State of Utah
 30 concerned with and related to drug abuse and drug problems to assure
 31 that such programs are not overlapping, duplicating or conflicting,
 32 and such council shall submit to the governor and to the legislature

- 4 -

1 recommended changes in legislation, policy, or implementation of legis-
 2 lation or policy in connection with such drug problems and programs.

3 Section 7. If any provision of this act, or the application of
 4 any provision to any person or circumstance, is held invalid, the
 5 remainder of this act shall not be affected thereby.

6 Section 8. This act shall take effect upon _____, 1970.

- 5 -

On motion of Senator Burton, S. B. No. 18 was amended as follows:

Page 3, line 13, delete the period insert a comma then add the words
 "for the purpose of rehabilitation".

Page 4, line 32, after the word "the" insert the words "Board of Drugs
 for presentation to the".

On motion of Senator Alsop, S. B. No. 18 was amended as follows:

On Page 3, Line 32: After the word "abuse." insert the following: "The
 director may be removed from office at the will of the board of drugs or by the
 executive director of social services after consultation with the board."

Page 3, following Line 25, insert the following:

"To assist in drug abuse control the Division of Drugs shall cooperate with law enforcement agencies and provide such information of law violations of drug abuse which may come to the attention of the division during its continuing study of drug use and abuse."

Page 5, Line 6, delete section 8.

On motion of Senator Barnett the rules were suspended and S. B. No. 18 was read the third time and placed on its final passage.

S. B. No. 18 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Dean, Gardner and Whitman.

S. B. No. 18 was transmitted to the House.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider S. B. No. 23.

S. B. No. 23 was read the second time.

On motion of Senator Brockbank the rules were suspended and S. B. No. 23 was read the third time and placed on its final passage.

S. B. No. 23 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bunnell, Burton, Clark, Clyde, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Mantes, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Call, Pettersson and Preece.

Absent and not voting were: Senators Bullen, Dean, Gardner, Leavitt and Whitman.

S. B. No. 23 was transmitted to the House.

SPECIAL ORDER

H. J. R. No. 11 being a Special Order of Business, was before the Senate.

H. J. R. No. 11 was read the second time.

On motion of Senator Brockbank the Senate resolved itself into a Committee of the Whole.

Mr. Bruce Hafen and Mr. Maurice Warshaw, appeared before the Committee of the Whole and answered questions concerning H. J. R. No. 11.

On motion of Senator Barnett the Committee of the Whole was dissolved.

On motion of Senator Buckner the rules were suspended and H. J. R. No. 11 was read the third time and placed on its final passage.

H. J. R. No. 11 then passed on the following roll call:

Yeas, 22; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Pugh, Welch and Mr. President.

Voting in the negative were: Senators Brockbank, Burton, Evans, Preece and Rees.

Absent and not voting was: Senator Whitman.

H. J. R. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

On motion of Senator Brockbank the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

COMMUNICATIONS FROM THE HOUSE

January 29, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 12, by Mr. Brockbank, et al., INSURANCE FUND TRANSFER REPEAL, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 12 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 29, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 6, by Mr. Howe, et al., HOLIDAYS, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 6 was read the first time.

On motion of Senator Bullen the rules were suspended and H. B. No. 6 was placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 29, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting:

H. J. R. No. 18 – SCHOOL FINANCE PROGRAM RESOLUTION
We have ruled that this is a non budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

On motion of Senator Pugh the rules were suspended and H. J. R. No. 18 was placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 18 was read the second time.

On motion of Senator Pugh the rules were suspended and H. J. R. No. 18 was read the third time and placed on its final passage.

H. J. R. No. 18 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Evans, Harward and Whitman.

H. J. R. No. 18 was signed by the President in open session in the presence of the Senate and was returned to the House for further action and then transmission to the Secretary of State.

INTRODUCTION OF BILLS

VOTING DISTRICTS

S. B. No. 28 By Messrs. Barnett, Greenwood and Pugh

AN ACT RELATING TO VOTING DISTRICTS; PROVIDING INTERIM AUTHORITY IN THE COUNTY COMMISSIONERS OF THE SEVERAL COUNTIES OF THIS STATE TO REALIGN AND ADJUST SENATE AND LEGISLATIVE DISTRICT BOUNDARIES TO INCLUDE UNINCORPORATED AREAS ANNEXED TO INCORPORATED AREAS, was read the first time and referred to the Committee on Rules.

SPECIAL ORDER

S. B. No. 13 being a Special Order of Business, was before the Senate.

On motion of Senator Rees, the rules were suspended and the Senate voted to now place S. B. No. 13 at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Rees, S. B. No. 13 retained its position on the Second Reading Calendar.

S. B. No. 20 was read the second time.

On motion of Senator Brockbank the rules were suspended and S. B. No. 20 was read the third time and placed on its final passage.

S. B. No. 20 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Jenkins, Leavitt, Mantes, Petterson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Clark, Gardner, Harward and Whitman.

S. B. No. 20 was transmitted to the House.

S. J. R. No. 20 was read the second time.

On motion of Senator Pugh, the rules were suspended and S. J. R. No. 20 was read the third time and placed on its final passage.

S. J. R. No. 20 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Jenkins, Mantes, Pettersson, Preece, Pugh, Rees and Welch.

Absent and not voting were: Senators Beck, Buckner, Gardner, Harward, Leavitt, Whitman and Mr. President.

S. J. R. No. 20 was transmitted to the House.

S. J. R. No. 21 was read the second time.

On motion of Senator Dean the rules were suspended and S. J. R. No. 21 was read the third time and placed on its final passage.

S. J. R. No. 21 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Bullen, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Jenkins, Mantes, Pettersson, Preece, Pugh, Rees and Welch.

Absent and not voting were: Senators Buckner, Bunnell, Gardner, Harward, Leavitt, Whitman and Mr. President.

S. J. R. No. 21 was transmitted to the House.

On motion of Senator Ferry the Senate recessed.

The Senate re-assembled.

S. J. R. No. 22 was read the second time.

On motion of Senator Leavitt S. J. R. No. 22 was amended as follows:

Lines one and two of the enacting clause delete the words "two-thirds of all members elected to each of the two houses voting in favor thereof:"

On motion of Senator Leavitt the rules were suspended and S. J. R. No. 22 was read the third time and placed on its final passage.

S. J. R. No. 22 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators Alsop, Barnett, Bullen, Bunnell, Burton, Call, Clyde, Dean, Ferry, Garfield, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Rees and Welch.

Absent and not voting were: Senators Beck, Brockbank, Buckner, Clark, Evans, Gardner, Harward, Pugh, Whitman and Mr. President.

S. J. R. No. 22 was transmitted to the House.

S. B. No. 22 was read the second time.

On motion of Senator Dean the rules were suspended and S. B. No. 22 was read the third time and placed on its final passage.

S. B. No. 22 then passed on the following roll call:

Yeas, 18; Nays, 6; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Clark, Clyde, Dean, Evans, Ferry, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Pugh and Mr. President.

Voting in the negative were: Senators Brockbank, Burton, Call, Preece, Rees and Welch.

Absent and not voting were: Senators Gardner, Garfield, Harward and Whitman.

S. B. No. 22 was transmitted to the House.

On motion of Senator Burton, the Senate resolved itself into Executive Session.

On motion of Senator Burton, the Senate resolved itself into Regular Session.

On motion of Senator Buckner, the Secretary of the Senate was directed to make the proper acknowledgements to all those who worked so hard on the Legislative Ball that was held last night — January 28, 1970 at the State Capitol.

Inasmuch as it has come to the attention of the members of the Utah State Senate that Secretary of State Clyde L. Miller is in the hospital seriously ill, Senator Buckner moved that the Secretary of the Senate be directed to convey the best wishes of this body to Mr. Miller for a speedy recovery.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 24 was read the second time.

On motion of Senator Leavitt the rules were suspended and S. B. No. 24 was read the third time and placed on its final passage.

S. B. No. 24 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Gardner, Harward and Whitman.

S. B. No. 24 was transmitted to the House.

Senator Burton moved that the Senate do advise and consent to the following appointments:

University of Utah Institutional Council

<u>Name</u>	<u>Address</u>	<u>For a Term Expiring</u>
Robert H. Hinckley, Eden		June 30, 1973
Fullmer H. Latter, Murray		June 30, 1971

Board of State History

Dello Dayton, Ogden		July 1, 1971
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Board of Industrial Promotion

Loren C. Dunn, Holladay		March 15, 1973
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Board of Aging

Dr. Bruce Walters, Salt Lake City		May 13, 1970
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Board of Mental Health

Kay Allen, Murray		March 1, 1971
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Board of Corrections

Sylvester L. DiBella, Murray		March 1, 1971
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<u>Name</u>	<u>Address</u>	<u>For a Term Expiring</u>
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Board of Parks and Recreation

J. Mike Monson, Ogden		June 30, 1973
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Board on Indian Affairs

McKay Pickyvit, Meadow		March 1, 1973
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Liquor Control Commission

Sharp M. Larsen, Salt Lake City		May 13, 1971
Norma G. Thomas, Provo		May 13, 1975
Gerald Irvine, Salt Lake City		May 13, 1973

Passenger Tramway Safety Board

Chandler P. St. John, Salt Lake City		June 30, 1970
J. Edward Immergluck, Salt Lake City		June 30, 1971
Charles Morton, Alta		June 30, 1970
Roy C. Nelson, Ogden		June 30, 1972
Edwin L. Madsen, Salt Lake City		June 30, 1971
James Quigley, Eureka		June 30, 1972

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 6 was read the second time.

On motion of Senator Clark the rules were suspended and H. B. No. 6 was read the third time and placed on its final passage.

H. B. No. 6 then passed on the following roll call:

Yeas, 24; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Greenwood, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Garfield.

Absent and not voting were: Senators Alsop, Harward and Whitman.

H. B. No. 6 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

RULES COMMITTEE REPORT

January 29, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting H. B. No. 5 - PROPERTY APPRAISAL PROGRAM.

We have ruled that this is a budgetary matter and recommend it to the Senate to determine whether they wish to act upon this measure.

Very truly yours,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

On motion of Senator Leavitt the rules were suspended and H. B. No. 5 was placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 29, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting: H. J. R. NO. 14 – LEGISLATIVE COUNCIL REORGANIZATION RESOLUTION

We have ruled that this is a non budgetary matter and would recommend that the House Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

On motion of Senator Leavitt the rules were suspended and H. J. R. No. 14 was placed on the Second Reading Calendar.

On motion of Senator Pugh, the Senate adjourned until Friday, January 30, 1970 at 9:00 a.m.

NINETEENTH DAY

MORNING SESSION

January 30, 1970

The Senate was called to order at 9:00 a.m. President Barlow in the chair.

Roll Call – All Senators present except Senator Whitman, excused.

Prayer by Mr. Golden L. Allen, State Treasurer.

January 30, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the eighteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

INTRODUCTION OF BILLS

STATE OFFICIALS SALARY ACT

S. B. No. 29

By Messrs. Brockbank and Pugh

AN ACT REPEALING AND RE-ENACTING SECTION 67-8-13, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 173, LAWS OF UTAH 1963, AS AMENDED BY CHAPTER 153, LAWS OF UTAH 1965, AS AMENDED BY CHAPTERS 224 and 225, LAWS OF UTAH 1969 AND SECTIONS 67-8-13.2 AND 67-8-13.3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 224, LAWS OF UTAH 1969, AND AMENDING SECTION 67-8-13.7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 224, LAWS OF UTAH 1969; RELATING TO THE SALARIES OF STATE OFFICERS AND THE DUTIES OF THE STATE EXECUTIVE COMPENSATION COMMISSION; PROVIDING A SCHEDULE OF ANNUAL SALARIES FOR ELECTED STATE OFFICERS AND PROVIDING A SYSTEM FOR THE FIXING OF SALARIES FOR OTHER OFFICERS IN THE EXECUTIVE AND JUDICIAL BRANCHES OF STATE GOVERNMENT; AND PROVIDING FOR AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

RULES COMMITTEE REPORT

January 30, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting Senate Bill No. 29, (STATE

OFFICIALS SALARY ACT), and has ruled that this is a non-budgetary matter and would recommend that the Senate Joint Resolution be considered by the Senate to determine whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

STATE OFFICIALS SALARY ACT RESOLUTION

S. J. R. No. 26

By Messrs. Brockbank and Pugh

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 29 ENTITLED "STATE OFFICIALS SALARY ACT," was read the first time.

On motion of Senator Gardner the rules were suspended and S. J. R. No. 26 was read the second and third times and placed on its final passage.

S. J. R. No. 26 then passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Alsop, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Dean, Evans, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Ferry and Petterson.

Absent and not voting were: Senators Barnett, Beck, Clark, Clyde and Whitman.

S. J. R. No. 26 was transmitted to the House.

On motion of Senator Pugh the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

January 29, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 8, by Mr. Judd, et al., COMMON DAY OF REST ACT, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 8 was read the first time .

On motion of Senator Bullen the rules were suspended and H. B. No. 8 was placed on the Second Reading Calendar.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, under suspension of the rules, S. B. No. 2, by Mr. Pugh, t al., SCHOOL DISTRICT INDEBTEDNESS, and the same is returned herewith.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 2 filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 5 was read the second time.

On motion of Senator Harward, H. B. No. 5 was amended as follows:

Page 1, Line 9: Delete the words "section 59-5-108" and insert in lieu thereof "sections 59-5-108 and 59-5-110".

On motion of Senator Harward, H. B. No. 5 was amended as follows:

Formal Title, Line 3: After the word "REAL" insert the words "AND PERSONAL".

Formal Title, Line 5: After the word "PROPERTY" insert the words "AND AUDITING SERVICES CONCERNING PERSONAL PROPERTY ASSESSMENTS".

On motion of Senator Mantes the rules were suspended and H. B. No. 5 was read the third time and placed on its final passage.

H. B. No. 5 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Rees, Welch and Mr. President.

Absent and not voting were: Senators Gardner, Pugh and Whitman.

H. B. No. 5 was returned to the House.

H. J. R. No. 14 was read the second time.

On motion of Senator Ferry the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

UNFINISHED BUSINESS

H. J. R. No. 14 being Unfinished Business, was before the Senate.

On motion of Senator Brockbank, H. J. R. No. 14 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Gardner, S. B. No. 13 having retained its position on the Second Reading Calendar, was before the Senate.

On motion of Senator Gardner, S. B. No. 13 was amended as follows:

On motion of Senator Gardner, the rules were suspended and the Senate voted to amend the original S. B. No. 13 by deleting all the body and the title and then inserting in lieu thereof the following:

STATE SCHOOL BUILDING AID

Substitute

S. B. No. 13

By Messrs. Clark and Jenkins

- 1 AN ACT AMENDING SECTION 53-11-49, UTAH CODE ANNOTATED 1953, AS ENACTED
- 2 BY CHAPTER 136, LAWS OF UTAH 1969, RELATING TO STATE SCHOOL
- 3 BUILDING AID FOR SCHOOL DISTRICTS; PROVIDING FOR DISTRIBUTION
- 4 TO THE SCHOOL DISTRICTS OF THE AMOUNTS APPROPRIATED FOR STATE
- 5 SCHOOL BUILDING AID DURING FISCAL 1970; APPROPRIATING \$2,965,000
- 6 FROM THE GENERAL FUND FOR FISCAL YEAR 1971 FOR SUCH STATE SCHOOL
- 7 BUILDING AID; AND PROVIDING FOR DISTRIBUTION OF THIS APPROPRIATION.

Be it enacted by the Legislature of the State of Utah:

- 1 Section 1. Section 53-11-49, Utah Code Annotated 1953, as enacted
- 2 by Chapter 136, Laws of Utah 1969, is amended to read:

3 53-11-49. There is hereby appropriated to the state board of
 4 education from the general fund the sum of \$2,965,000 for fiscal 1970
 5 for distribution to school districts
 6 who qualified for bonding unit aid or alternate
 7 building aid under this chapter during fiscal 1969, this distribu-
 8 tion to be in lieu of this aid during fiscal 1970 and to be distributed
 9 to each district in the same amount as the district received for this
 10 aid during fiscal 1969. An amount of \$35,000 or so much of this
 11 appropriation as may be necessary shall be reserved for the expenses
 12 of the state board of education incurred in administering this act,
 13 including \$10,000 reserved for payments to the state building board
 14 by the state board of education.

15 Section 2. There is hereby appropriated to the state board of

- 2 -

1 education from the general fund the sum of \$2,965,000 effective July 1,
 2 1970, for fiscal 1971 for distribution to school districts which
 3 qualify for state building aid as provided by law. An amount of
 4 \$35,000 or so much of this appropriation as may be necessary shall
 5 be reserved for the expenses of the state board of education incurred
 6 in administering this act, including \$10,000 reserved for payments
 7 to the state building board by the state board of education.

On motion of Senator Rees, S. B. No. 13 was amended as follows:

Page 2, After Line 7: Insert the following: "Section 3. The expiration of eligibility for state building aid of Millard, Nebo, and South Sanpete school districts, as determined under section 53-11-41, shall be extended to 1971."

On motion of Senator Rees, the title of S. B. No. 13 was amended as follows:

Formal Title, Line 7: Delete the word "AND" before the word "PROVIDING"; and insert after the word "APPROPRIATION" the following words "AND EXTENDING THE ELIGIBILITY FOR SUCH AID OF CERTAIN DISTRICTS".

On motion of Senator Clark the rules were suspended and S. B. No. 13 was read the third time and placed on its final passage.

S. B. No. 13 then passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting was: Senator Whitman.

S. B. No. 13 was transmitted to the House.

H. B. No. 8 was read the second time.

On motion of Senator Bunnell the Senate resolved itself into a Committee of the Whole.

Mr. Dave Sternoff, Arlington, Virginia appeared before the Committee of the Whole.

On motion of Senator Bunnell the Committee of the Whole was dissolved.

On motion of Senator Buckner the Senate recessed.

The Senate re-assembled.

H. B. No. 8 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 19; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Gardner, Garfield, Greenwood, Harward, Jenkins, Pettersson, Pugh, Welch and Mr. President.

Voting in the negative were: Senators Beck, Brockbank, Evans, Ferry, Leavitt, Mantes, Preece and Rees.

Absent and not voting was: Senator Whitman.

RULES COMMITTEE REPORT

January 30, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting:

H. J. R. No. 7 – SMALL CLAIMS COURT

H. J. R. No. 12 – ELECTION ADVERTISING RES.

We have ruled that these are of a non-budgetary nature and would recommend that these House Joint Resolutions be considered by the Senate to determine whether they wish to act upon these measures.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

On motion of Senator Leavitt, the rules were suspended and H. J. R. No. 7 and H. J. R. No. 12 were placed on the Second Reading Calendar.

RULES COMMITTEE REPORT

January 30, 1970

President Haven J. Barlow
President of the Senate

Dear Mr. President:

The Rules Committee is hereby submitting:

S. B. No. 27 – STUDENT LOAN PROGRAM

We have ruled that this is a non-budgetary matter and would recommend that the S. J. R. be considered by the Senate as to whether they wish to act upon this measure.

Sincerely,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTION

STUDENT LOAN PROGRAM RESOLUTION

S. J. R. No. 27

By Messrs. Bullen, Jenkins and Leavitt

A JOINT RESOLUTION OF THE BUDGET SESSION OF THE 38TH LEGISLATURE OF THE STATE OF UTAH, PERMITTING INTRODUCTION AND CONSIDERATION OF S. B. NO. 27, ENTITLED "STUDENT LOAN PROGRAM", was read the first time.

On motion of Senator Leavitt, the rules were suspended and S. J. R. No. 27 was placed on the Second Reading Calendar.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 8 was read the third time and placed on its final passage.

H. B. No. 8 then passed on the following roll call:

Yeas, 17; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Gardner, Garfield, Greenwood, Harward, Jenkins, Pettersson, Pugh and Welch.

Voting in the negative were: Senators Beck, Brockbank, Burton, Evans, Ferry, Leavitt, Mantes, Preece, Rees and Mr. President.

Absent and not voting was: Senator Whitman.

STATEMENT BY THE PRESIDENT OF THE SENATE REGARDING

H. B. NO. 8 - COMMON DAY OF REST

I am generally in favor of the basic principles pertaining to this Day of Rest Bill but at this time during the last hours of the first budget session, I feel that it was not of such an emergency nature that it could not wait until the regular session when bills of this type can have the necessary preliminary

detail committee work and go through the regular channels for something as far-reaching as this legislation.

I therefore vote "Nay" at this time.

H. B. No. 8 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 7 was read the second time.

On motion of Senator Barnett the rules were suspended and H. J. R. No. 7 was read the third time and placed on its final passage.

H. J. R. No. 7 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Evans, Ferry, Greenwood, Harward, Leavitt, Mantes, Pettersson, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Burton, Gardner, Garfield, Jenkins, Preece and Whitman.

H. J. R. No. 7 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. J. R. No. 12 was read the second time.

On motion of Senator Brockbank H. J. R. No. 12 was tabled.

S. J. R. No. 27 was read the second time.

On motion of Senator Bullen the rules were suspended and S. J. R. No. 27 was read the third time and placed on its final passage.

Senator Leavitt, with the aid of five senators, requested a Call of the Senate.

On motion of Senator Leavitt, the Call of the Senate was lifted.

S. J. R. No. 27 then passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators Barnett, Beck, Brockbank, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Burton.

Absent and not voting were: Senators Alsop, Jenkins, Mantes and Whitman.

S. J. R. No. 27 was transmitted to the House.

On motion of Senator Bullen the Senate sauntered for 10 minutes.

On motion of Senator Pugh, H. J. R. No. 14 was lifted from the table and under suspension of the rules, H. J. R. No. 14 was placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 14 having been previously read was before the Senate.

On motion of Senator Pugh, H. J. R. No. 14 was amended as follows:

Page 1, Line 4 – delete “bill” and insert “resolution” after “Council” add “Committee”.

Page 1, Line 5 – delete “Act” and insert “Resolution”.

Page 1, Line 6 – delete all of line 6.

Title – In short title after “Council” add “Committee”.

Title – Line 3, delete “Bill” and insert “Resolution” and after “Council” add “Committee”.

On motion of Senator Pugh the rules were suspended and H. J. R. No. 14 was read the third time and placed on its final passage.

H. J. R. No. 14 then passed on the following roll call:

Yeas, 20; Nays, 2; Absent, 6.

Voting in the affirmative were: Senators Alsop, Barnett, Brockbank, Buckner, Bullen, Call, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Leavitt, Pettersson, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Burton and Evans.

Absent and not voting were: Senators Beck, Bunnell, Jenkins, Mantes, Preece and Whitman.

H. J. R. No. 14 was returned to the House.

On motion of Senator Pugh, the Senate adjourned until Saturday, January 31, 1970 at 9:00 a.m.

TWENTIETH DAY

MORNING SESSION

January 31, 1970

The Senate was called to order at 9:00 a.m. President Barlow in the chair.

Roll Call — All Senators present except Senators Brockbank and Whitman, excused.

Prayer by Bishop Willis L. Hansen also an employee of the Utah State Senate.

January 31, 1970

Mr. President:

The Committee on Revision of the Journal respectfully reports that we have read the Journal for the nineteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 1, by Mr. Pugh, et al., STATE PROMISSORY NOTES, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Buckner, S. B. No. 1 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 3, by Mr. Pugh, et al., MUNICIPAL BOND ACT AMENDMENTS, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 3 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 4, by Mr. Pugh, et al., WATER AND SEWER IMPROVEMENT DISTRICT LAW, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 4 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 5, by Mr. Pugh, et al., REVENUE BONDS OF COUNTIES AND MUNICIPALITIES, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 5 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 6, by Mr. Pugh et al., COUNTY SPECIAL IMPROVEMENT DIS-

TRICTS, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 6 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 7, by Mr. Pugh, et al., MUNICIPAL SPECIAL IMPROVEMENT DISTRICTS, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 7 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, S. B. No. 9, by Mr. Pugh, et al., BONDS OF STATE INSTITUTIONS OF HIGHER LEARNING, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 9 was tabled.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, S. B. No. 23, by Mr. Pugh, et al., COUNTY SERVICE AREA ACT AMENDMENTS, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett, S. B. No. 23 was tabled.

On motion of Senator Rees, H. J. R. No. 12 was lifted from the table and placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 12 having been previously read was before the Senate.

On motion of Senator Rees the rules were suspended and H. J. R. No. 12 was read the third time and placed on its final passage.

Senator Bullen, with the aid of five senators, requested a Call of the Senate.

On motion of Senator Leavitt, the Call of the Senate was lifted.

H. J. R. No. 12 failed to pass on the following roll call:

Yeas, 15; Nays, 7; Absent, 6.

Voting in the affirmative were: Senators Alsop, Buckner, Bullen, Call, Clark, Clyde, Gardner, Garfield, Greenwood, Harward, Leavitt, Mantes, Petterson, Rees and Mr. President.

Voting in the negative were: Senators Barnett, Bunnell, Dean, Evans, Jenkins, Preece and Welch.

Absent and not voting were: Senators Beck, Brockbank, Burton, Ferry, Pugh and Whitman.

H. J. R. No. 12 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 7, by Mr. Gunnell, et al., STATE BUILDING PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 7 was read the first time.

On motion of Senator Gardner, the rules were suspended and the Senate voted to now place H. B. No. 7 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Gardner the rules were suspended and H. B. No. 7 was read the second and third times and placed on its final passage.

H. B. No. 7 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators Alsop, Buckner, Bullen, Bunnell, Burton, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Barnett, Call and Preece.

Absent and not voting were: Senators Beck, Brockbank, Evans, Pettersson and Whitman.

H. B. No. 7 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 10, by Mr. Nelson, SUPPLEMENTAL APPROPRIATION BILL, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 10 was read the first time.

On motion of Senator Gardner, the rules were suspended and the Senate voted to now place H. B. No. 10 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Gardner the rules were suspended and H. B. No. 10 was read the second and third times and placed on its final passage.

H. B. No. 10 then passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Beck.

Absent and not voting were: Senators Brockbank and Whitman.

H. B. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Pugh the Senate resolved itself into a Committee of the Whole.

Dr. J. D. Williams from the Hinckley Institute of Politics at the University of Utah, appeared before the Committee of the Whole.

On motion of Senator Pugh the Committee of the Whole was dissolved.

On motion of Senator Pugh, S. B. No. 1 was lifted from the table and placed at the head of the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1 was before the Senate.

On motion of Senator Burton, the Senate voted to concur in the House amendments to S. B. No. 1.

S. B. No. 1 then passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Ferry, Greenwood, Harward, Leavitt, Mantes, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Dean and Garfield.

Absent and not voting were: Senators Brockbank, Evans, Gardner, Jenkins and Whitman.

S. B. No. 1 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, S. B. No. 3 was lifted from the table and placed at the head of the Third Reading Calendar.

S. B. No. 3 was before the Senate.

On motion of Senator Pugh the Senate voted to concur in the House amendments to S. B. No. 3.

S. B. No. 3 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Evans, Gardner, Mantes and Whitman.

S. B. No. 3 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, S. B. No. 4 was lifted from the table and placed at the head of the Third Reading Calendar.

S. B. No. 4 was before the Senate.

On motion of Senator Burton, S. B. No. 4 was tabled for clarification of House amendatory language.

On motion of Senator Burton, The Senate's Action on S. B. No. 3 was reconsidered.

On motion of Senator Burton, S. B. No. 3 upon reconsideration was tabled for clarification of House amendatory language.

COMMUNICATIONS FROM THE HOUSE

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, under suspension of the rules, H. B. No. 9, by Mr. Redd,

et al., SCHOOL FINANCE PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 9 was read the first time.

On motion of Senator Buckner, the rules were suspended and the Senate voted to now place H. B. No. 9 on the Second Reading Calendar.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. J. R. No. 19, by Mr. Halverson, et al., PURCHASE OF FIREARMS RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 19 was read the first time.

On motion of Senator Buckner, the rules were suspended and the Senate voted to now place H. J. R. No. 19 on the Second Reading Calendar.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, concurred in Senate amendments and passed H. B. No. 5, by Mr. Florenoe, et al., PROPERTY APPRAISAL PROGRAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 5 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. J. R. No. 22, by Mr. Phelps, AUTHORIZING INTRODUCTION OF EXCURSION RAILROAD RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 22 was read the first time.

On motion of Senator Call, the rules were suspended and the Senate voted to now place H. J. R. No. 22 on the Second Reading Calendar.

January 30, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, Substitute S. B. No. 18, by Mr. Alsop, et al., UTAH DIVISION OF DRUGS, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 18 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, S. B. No. 19, by Mr. Leavitt, et al., BASIC SCIENCE LAW EXEMPTIONS, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 19 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 20, by Mr. Pugh, et al., APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO STATE COLLECTOR ROAD FUND RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 20 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 12, by Mr. Howe, et al.,

SMALL CLAIMS COURT, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 12 was read the first time.

On motion of Senator Bullen, the rules were suspended and the Senate voted to now place H. B. No. 12 on the Second Reading Calendar.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. J. R. No. 23, by Mr. Halverson, et al., LEGISLATIVE COUNCIL COMMITTEE REORGANIZATION RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 23 was read the first time.

On motion of Senator Bullen, the rules were suspended and the Senate voted to now place H. J. R. No. 23 on the Second Reading Calendar.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. J. R. No. 21, by Mr. Gunnell, et al., BOND ELECTION ACT RESOLUTION, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 21 was read the first time.

On motion of Senator Bullen, the rules were suspended and the Senate voted to now place H. J. R. No. 21 on the Second Reading Calendar.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 21, by Mr. Pugh, et al., APPROPRIATION FROM HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO CLASS B AND CLASS C ROADS RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 21 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

On motion of Senator Burton, the rules were suspended and the Senate voted to now table H. J. R. Nos. 19-22-23 and 21.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clark, H. B. No. 9 retained its position on the Second Reading Calendar.

H. B. No. 12 was read the second time.

On motion of Senator Rees the rules were suspended and H. B. No. 12 was read the third time and placed on its final passage.

H. B. No. 12 then passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Call, Clark, Clyde, Dean, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Burton and Evans.

Absent and not voting were: Senators Brockbank, Gardner, Mantes, Preece and Whitman.

H. B. No. 12 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Buckner H. J. R. No. 19 was lifted from the table and under suspension of the rules was placed on the Second Reading Calendar.

On motion of Senator Pugh the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Barlow in the chair.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, concurred in Senate amendments and passed H. J. R. No. 14, by Mr. Halverson, et al., LEGISLATIVE COUNCIL RE-ORGANIZATION RESOLUTION, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. J. R. No. 14 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, Substitute S. B. No. 13, by Mr. Clark, et al., STATE SCHOOL BUILDING AID, and the same is transmitted herewith for your further action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Barnett the Senate voted to concur in the House amendments to S. B. No. 13.

S. B. No. 13 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Pettersson, Preece, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Call, Clyde, Leavitt, Mantes, Pugh and Whitman.

S. B. No. 13 was transmitted to the House for the signature of the Speaker.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 20, by Mr. W. Hughes Brockbank, et al., FUNDS FOR REDEVELOPMENT AGENCIES, which has been

signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 20 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 22, by Mr. Dean, et al., **INSURANCE DISCRIMINATION**, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 24, by Mr. Leavitt, et al., **MEMBERS TO THE STATE BOARD OF HIGHER EDUCATION**, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for your signature.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 24 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, S. J. R. No. 22, by Mr. Leavitt, et al., STUDY OF FUNDING COUNTY-CITY HEALTH DEPARTMENTS MERGER, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 22 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, as amended by the Senate and House, passed S. B. No. 1, by Mr. Pugh, et al., STATE PROMISSORY NOTES, which has been signed by the Speaker in open session in the presence of the House, and the same is returned herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 1 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

UNFINISHED BUSINESS

H. J. R. No. 19 being Unfinished Business, was before the Senate.

H. J. R. No. 19 was read the second time.

On motion of Senator Ferry the rules were suspended and H. J. R. No. 19 was read the third time and placed on its final passage.

H. J. R. No. 19 then passed on the following roll call:

Yeas, 21; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bullen, Bunnell, Call, Clark, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Burton and Clyde.

Absent and not voting were: Senators Alsop, Brockbank, Evans, Mantes and Whitman.

H. J. R. No. 19 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Buckner, H. B. No. 9 having retained its position on the Second Reading Calendar was before the Senate.

On motion of Senator Buckner the Senate voted unanimously that the journal show it was the unanimous consent of the body to have the proponent of H. B. No. 9 explain said bill and this constituted the reading of the bill for the second time.

On motion of Senator Buckner, H. B. No. 9 was amended as follows:

Page 10, line 6 delete "106" then insert in lieu thereof "91".

Senator Rees proposed the following amendment:

Page 9, strike all the underlined material on lines 25 and 26.

Senator Dean moved for a roll call vote on the proposed Rees amendment.

PROPOSED REES AMENDMENT

Yeas, 13; Nays, 10; Absent, 5.

Voting in the affirmative were: Senators Beck, Bullen, Burton, Clark, Clyde, Dean, Evans, Garfield, Harward, Jenkins, Leavitt, Preece and Rees.

Voting in the negative were: Senators Barnett, Buckner, Bunnell, Call, Ferry, Greenwood, Petterson, Pugh, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Brockbank, Gardner, Mantes and Whitman.

Rees amendment carried.

On motion of Senator Pugh the Senate recessed.

The Senate re-assembled.

Senator Petterson moved for a roll call vote on the following proposed amendment:

Page 6, line 6 delete the word "may" and insert in lieu thereof the word "shall".

Roll Call vote on the proposed Petterson amendment:

Yeas, 6; Nays, 19; Absent, 3.

Voting in the affirmative were: Senators Beck, Bunnell, Dean, Evans, Jenkins and Petterson.

Voting in the negative were: Senators Alsop, Barnett, Buckner, Bullen, Burton, Call, Clark, Clyde, Ferry, Gardner, Garfield, Greenwood, Harward, Leavitt, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Mantes and Whitman.

Proposed Petterson amendment failed.

On motion of Senator Pugh the Senate's action on H. B. No. 9 was reconsidered.

On motion of Senator Pugh, the rules were suspended and H. B. No. 9 was amended as follows:

Page 9, re-insert the words that were previously deleted on lines 25 and 26. "providing the total of the units allocated shall not exceed 225 units for any one fiscal year."

On motion of Senator Buckner the rules were suspended and H. B. No. 9 was read the third time and placed on its final passage.

H. B. No. 9 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Mantes and Whitman.

H. B. No. 9 was returned to the House.

COMMUNICATIONS FROM THE GOVERNOR

STATE OF UTAH
Office of the Governor
Salt Lake City

CALVIN L. RAMPTON
Governor

January 31, 1970

President Haven J. Barlow
and
Members of the Utah State Senate

Gentlemen:

I have just been informed that S. B. No. 24 has passed both houses of the Legislature authorizing the Governor, subject to the consent of the Senate, to appoint all members of the State Board of Higher Education. Although this bill will not become effective until 60 days after the close of the legislative session, it would appear that in the interim I am authorized to make the appointments by Section 10, Article VII of the Constitution of the state of Utah.

I, therefore, appoint to the State Board of Higher Education, and ask the consent of the Senate to such appointments, the following individuals, for terms expiring as indicated:

Ira A. Huggins	June 30, 1971
Henry Hurren	June 30, 1971
Nathan C. Tanner	June 30, 1973
Merrill J. Millett	June 30, 1973
Richard L. Evans	June 30, 1975
Roy W. Simmons	June 30, 1975

Respectfully submitted,

CALVIN L. RAMPTON,
Governor

Communication filed.

Senator Burton, chairman of the Special Committee on Appointments moved that the Senate do advise and consent to the Governor's appointments to the State Board of Higher Education as indicated in the preceding communication.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 11, by Mr. Nelson, AP-PROPRIATIONS ACT, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 11 was read the first time.

On motion of Senator Burton, the rules were suspended and the Senate voted to now place H. B. No. 11 on the Second Reading Calendar.

January 31, 1970

Mr. President:

I am directed to request your Honorable Body to return to the House, S. B. No. 2, by Mr. Pugh, et al., SCHOOL DISTRICT INDEBTEDNESS, for reconsideration.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Leavitt the Senate voted to accede to the House request.

S. B. No. 2 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Leavitt, the Senate voted unanimously that the Senate Journal indicate that it was the unanimous consent of the body to have Senator Gardner, the Chairman of the Appropriations committee explain H. B. No. 11 and this would constitute the second reading of the bill.

On motion of Senator Gardner the rules were suspended and H. B. No. 11 was read the third time and placed on its final passage.

H. B. No. 11 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Beck, Brockbank, Evans, Mantes and Whitman.

H. B. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 27, by Mr. Bullen, et al., STUDENT LOAN PROGRAM RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 27 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. J. R. No. 26, by Mr. Brockbank, et al., STATE OFFICIALS SALARY ACT RESOLUTION, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 26 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, Substitute S. B. No. 13, by Mr. Clark, et al., STATE SCHOOL BUILDING

AID, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 13 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Leavitt, the rules were suspended and the Senate voted to lift S. B. No. 29 from the Rules Committee and place it at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 29 was read the second time.

On motion of Senator Pugh the Senate resolved itself into a Committee of the Whole.

Mr. Richard Kinnersley, appeared before the Committee of the Whole.

On motion of Senator Pugh the Committee of the Whole was dissolved.

On motion of Senator Pugh the rules were suspended and S. B. No. 29 was read the third time and placed on its final passage.

S. B. No. 29 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Petterson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Beck, Brockbank, Evans, Mantes and Whitman.

S. B. No. 29 was transmitted to the House.

RULES COMMITTEE REPORT

January 31, 1970

Mr. President:

Your Rules Committee to which were referred S. B. No. 25 APPROP. HIGHWAY CONSTRUCTION AND MAINTENANCE FUND TO STATE COLLECTOR ROAD FUND – S. B. No. 26 APPROPRIATION FROM CONSTRUCTION AND MAINTENANCE FUND TO CLASS B AND C ROADS and S. B. No. 27 STUDENT LOAN PROGRAM has carefully considered said bills and reports the same out and recommends the same be printed and under suspension of the rules be referred directly to the Second Reading Calendar.

Respectfully,

DIXIE LEAVITT,
Chairman

Committee report read and adopted.

S. B. Nos. 25-26 and 27 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 25 was read the second time.

On motion of Senator Rees, S. B. No. 25 was tabled.

On motion of Senator Pugh, S. B. No. 26 was tabled.

S. B. No. 27 was read the second time.

On motion of Senator Rees the rules were suspended and S. B. No. 27 was read the third time and placed on its final passage.

S. B. No. 27 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Alsop, Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Beck, Brockbank, Evans, Gardner, Mantes, Preece and Whitman.

S. B. No. 27 was transmitted to the House.

On motion of Senator Pugh, S. B. Nos. 3-4-5-6-9 and 23 were lifted from the table and placed before the Senate for consideration.

S. B. No. 3 was before the Senate for reconsideration.

On motion of Senator Pugh the Senate voted to concur in the House amendments to S. B. No. 3.

S. B. No. 3 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Dean, Gardner, Mantes and Whitman.

S. B. No. 3 was transmitted to the House for the signature of the Speaker.

On motion of Senator Burton the Senate voted to concur in the House amendments to S. B. No. 4.

S. B. No. 4 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Evans, Ferry, Garfield, Greenwood, Harward, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Dean, Gardner, Jenkins, Mantes and Whitman.

S. B. No. 4 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh the Senate voted to concur in the House amendments to S. B. No. 5.

S. B. No. 5 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Brockbank, Gardner, Mantes and Whitman.

S. B. No. 5 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 6.

S. B. No. 6 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Alsop, Barnett, Beck, Buckner, Bullen, Bunnell, Burton, Call, Clark, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Brockbank, Gardner, Mantes and Whitman.

S. B. No. 6 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 7.

S. B. No. 7 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clyde, Dean, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Beck, Brockbank, Clark, Evans, Gardner, Mantes and Whitman.

S. B. No. 7 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 9.

S. B. No. 9 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barnett, Buckner, Bullen, Bunnell, Burton, Call, Clyde, Dean, Evans, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Beck, Brockbank, Clark, Gardner, Mantes, Petterson and Whitman.

S. B. No. 9 was transmitted to the House for the signature of the Speaker.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 23.

S. B. No. 23 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Alsop, Beck, Buckner, Bullen, Call, Clark, Clyde, Dean, Ferry, Garfield, Greenwood, Harward, Jenkins, Leavitt, Petterson, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Barnett, Brockbank, Bunnell, Burton, Evans, Gardner, Mantes, Preece and Whitman.

S. B. No. 23 was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 8, by Mr. Pugh, et al., INDEBTEDNESS OF CITIES AND TOWNS, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 8 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, as amended by the Senate, rejected S. J. R. No. 7, by Mr. Pugh, et al., DEBT ELECTIONS AMENDMENT RESOLUTION, and the same is returned herewith.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. J. R. No. 7 was filed.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, passed as amended by the Senate and the House, S. B. No. 3, by Mr. Pugh, et al., MUNICIPAL BOND ACT AMENDMENTS, and the same has been signed by the Speaker in open session, in the presence of the House, and is herewith transmitted for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 3 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Dean the Senate voted to assign to the Legislative council a Study of Insurance Holding Companies and the Model Insurance Holding Company Regulatory Act.

On motion of Senator Pugh H. J. R. No. 21 was lifted from the table and placed on the Second Reading Calendar.

H. J. R. No. 21 was read the second time.

On motion of Senator Pugh the rules were suspended and H. J. R. No. 21 was read the third time and placed on its final passage.

On motion of Senator Pugh, with the aid of five senators, requested a Call of The Senate.

On motion of Senator Leavitt, the Call of The Senate was lifted.

On motion of Senator Pugh, H. J. R. No. 21 retained its position on the Third Reading Calendar.

On motion of Senator Pugh the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, S. B. No. 23, by Mr. Pugh, et al., COUNTY SERVICE AREA ACT AMENDMENTS, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 23 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 27, by Mr. Bullen, et al., STUDENT LOAN PROGRAM, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 27 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and the House, S. B. No. 6, by Mr. Pugh, et al., COUNTY SPECIAL IMPROVEMENT DISTRICTS, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 6 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and the House, S. B. No. 7, by Mr. Pugh, et al., MUNICIPAL SPECIAL IMPROVEMENT DISTRICTS, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 7 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and the House, S. B. No. 9, by Mr. Pugh, et al., BONDS OF STATE INSTITUTIONS OF HIGHER LEARNING, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 9 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, S. B. No. 10, by Mr. Pugh, et al., INDEBTEDNESS OF COUNTIES, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 10.

S. B. No. 10 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bunnell, Call, Clark, Dean, Ferry, Gardner, Garfield, Harward, Jenkins, Leavitt, Pettersson, Preece, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Brockbank, Bullen, Burton, Clyde, Evans, Greenwood, Mantes and Whitman.

S. B. No. 10 was transmitted to the House for the signature of the Speaker.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules, upon reconsideration, as amended by the House, passed S. B. No. 2, by Mr. Pugh, et al., SCHOOL DISTRICT INDEBTEDNESS, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Pugh, the Senate voted to concur in the House amendments to S. B. No. 2.

S. B. No. 2 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bunnell, Call, Clark, Dean, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Pettersson, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Brockbank, Bullen, Burton, Clyde, Evans, Mantes and Whitman.

S. B. No. 2 was transmitted to the House for the Signature of the Speaker.

On motion of Senator Leavitt, H. J. R. No. 23 was lifted from the table and placed on the Second Reading Calendar.

On motion of Senator Beck the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 5, by Mr. Pugh, et al., REVENUE BONDS OF COUNTIES AND MUNICIPALITIES, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 5 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 4, by Mr. Pugh, et al., WATER AND SEWER IMPROVEMENT DISTRICT LAW, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 4 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 23 was read the second time.

On motion of Senator Leavitt, H. J. R. No. 23 was amended as follows:

Page 1, with reference to the Enacting Clause after the word "Utah" delete the comma insert a period then delete the words "two-thirds of all members elected to each of the two houses voting in favor thereof:"

On motion of Senator Pugh, H. J. R. No. 23 was further amended as follows:

Page 1, line 2, after the word "interim" insert the word "advisory".

Page 1, line 7, after the word "to" insert the word "advisory".

Page 1, line 9, after the word "joint" insert the word "advisory".

On motion of Senator Dean the rules were suspended and H. J. R. No. 23 was read the third time and placed on its final passage.

H. J. R. No. 23 failed to pass on the following roll call:

Yeas, 12; Nays, 8; Absent, 8.

Voting in the affirmative were: Senators Buckner, Clark, Ferry, Garfield, Greenwood, Harward, Leavitt, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative were: Senators Barnett, Beck, Bunnell, Call, Dean, Evans, Jenkins and Pettersson.

Absent and not voting were: Senators Alsop, Brockbank, Bullen, Burton, Clyde, Gardner, Mantes and Whitman.

H. J. R. No. 23 was returned to the House.

Pugh Statement:

It seems to be the consensus of opinion that the Legislative Council complete the studies assigned by the 38th Legislature and carry out its present duties assigned thereto—but with greater emphasis on the utilization of members of the Legislature during the interim under the committee structure corresponding with the committee designations of the 1970 budget session. It is also recognized that each Legislative Body (Senate and House of Representatives) is independent from the other and that the opinion of the House members as a group and the opinion of the Senate members as a group should have equal weight if a difference develops between the interim committee members divided along House and Senate lines. Such a situation could be resolved by requiring that a report to bear the official stamp of the committee would have to have at least 50% of all the Senators and at least 50% of all the Representatives on the committee voting in favor of report.

On motion of Senator Pugh, the rules were suspended and the Senate voted to now consider bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Pugh, the enacting clause of H. J. R. No. 21 was struck.

On motion of Senator Pugh, the Senate voted to lift the following bills from the table: S. J. R. No. 12-15-13 and S. B. Nos. 25-26.

On motion of Senator Pugh, the enacting clause on S. J. R. No. 12 — S. J. R. No. 15 — S. J. R. No. 13 — S. B. No. 25 — S. B. No. 26 were struck.

On motion of Senator Pugh, the Senate voted to lift H. J. R. No. 22 from the table.

On motion of Senator Pugh, the enacting clause of H. J. R. No. 22 was struck and returned to the House.

RULES COMMITTEE REPORTS

January 31, 1970

Mr. President:

Your Rules Committee reports out the following H. J. R. Nos.

H. J. R. No. 5

H. J. R. No. 15

H. J. R. No. 9

H. J. R. No. 10

Respectfully,

DIXIE LEAVITT,
Chairman

Reported adopted and filed.

On motion of Senator Pugh, the enacting clause was struck on the above listed House Joint Resolutions and returned to the House.

January 31, 1970

Mr. President:

Your Rules Committee reports out the following Senate Joint Resolutions and Senate Bills:

S. J. R. No. 11 (S.J.R. No. 18)	S. B. No. 11
S. J. R. No. 24	S. B. No. 14
	S. B. No. 15
	S. B. No. 16
	S. B. No. 17
	S. B. No. 21
	S. B. No. 28 (S.J.R. No. 25)

Respectfully,

DIXIE LEAVITT,
Chairman

Report adopted and filed.

On motion of Senator Pugh, the enacting clause was struck on the above listed Senate Resolutions and Senate Bills and were filed.

On motion of Senator Rees the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that S. B. No. 2, by Mr. Pugh, et al., SCHOOL DISTRICT INDEBTEDNESS, having passed the House and Senate, has this day been signed in open session by the Speaker of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 2 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that S. B. No. 10, by Mr. Pugh, et al., INDEBTEDNESS OF COUNTIES, having passed the House and Senate, has this day been signed in open session by the Speaker of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 10 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

REPORT OF JOINT RULES COMMITTEE

January 31, 1970

Mr. Speaker - Mr. President:

Your Joint Committee on Rules recommend that the cost of revising the House and Senate Journal and records of the 1970 Budget Session of the 38th Legislature be as follows:

Quayle Cannon, Jr. — Secretary of the Senate	\$500.00
Sophia C. Buckmiller — Minute Clerk	\$500.00
Gerald R. Hansen — Chief Clerk of the House	\$500.00
George Frodsham — Minute Clerk of the House	\$500.00

In addition, authority is given for the employment of such clerical help as is required.

We wish to commend the officers and employees of the Legislature for the manner in which they have carried on their respective duties.

DIXIE LEAVITT,
Senate Chairman

GLEN T. ANDERSON,
House Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, under suspension of the rules, Substitute S. B. No. 29, by Mr. Brockbank, et al., UTAH STATE OFFICIALS SALARY ACT, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

On motion of Senator Gardner, the Senate voted to concur in the House amendments to S. B. No. 29.

S. B. No. 29 then passed on the following roll call:

Yeas, 20; Nays, 1; Absent, 7.

Voting in the affirmative were: Senators Beck, Buckner, Bunnell, Call, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Petterson, Preece, Pugh, Rees, Welch and Mr. President.

Voting in the negative was: Senator Barnett.

Absent and not voting were: Senators Alsop, Brockbank, Bullen, Burton, Clyde, Mantes and Whitman.

S. B. No. 29 was transmitted to the House for the signature of the Speaker.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, H. B. No. 13, by Mr. Halverson, et al., PURCHASE OF FIREARMS, and the same is transmitted herewith for your action.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 13 was read the first time.

On motion of Senator Ferry, the rules were suspended and the Senate voted to now place H. B. No. 13 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Ferry the rules were suspended and H. B. No. 13 was read the second and third times and placed on its final passage.

H. B. No. 13 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barnett, Beck, Buckner, Bunnell, Call, Clark, Dean, Evans, Ferry, Gardner, Garfield, Greenwood, Harward, Jenkins, Leavitt, Preece, Pugh, Rees, Welch and Mr. President.

Absent and not voting were: Senators Alsop, Brockbank, Bullen, Burton, Clyde, Mantes, Pettersson and Whitman.

H. J. R. No. 13 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, Substitute S. B. No. 29, by Mr. Brockbank, et al., UTAH STATE OFFICIALS SALARY ACT, which has been signed by the Speaker in open session, in the presence of the House, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

S. B. No. 29 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

January 31, 1970

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in the Senate amendment and passed, as amended by the House and Senate, H. B. No. 9, by Mr. Redd, et al., SCHOOL FINANCE PROGRAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

GERALD R. HANSEN,
Chief Clerk

Communication filed.

H. B. No. 9 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Dean, the Senate voted to give all the Senate employees an extra day's pay for their long and efficient service.

On motion of Senator Pugh, the Senate extended a vote of appreciation to the officers and employees of the Senate for their courteous services.

On motion of Senator Preece, the Senate voted to record in the Journal an entry of commendation to the Legislative Council, Joint Budget Audit Com-

mittee, Legal Services Committee, Joint Operations Committee for their fine work concerning all legislative matters referred thereto.

On motion of Senator Leavitt, the Senate expressed its appreciation to the newspapers published in Utah, and to the radio and television stations throughout the state.

On motion of Senator Buckner, the Senate extended a vote of appreciation to the President and leadership of the Senate for their excellent work in presiding over and conducting the 1970 Budget Session of the 38th Legislature.

On motion of Senator Leavitt, the President appointed Senators Welch, Jenkins and Garfield to notify the House that the Senate has concluded its business and is now ready to adjourn sine die.

On motion of Senator Pugh, the President appointed Senators Call, Harward and Dean to act with a like committee from the House to wait upon the Governor to ascertain whether he has any further business to bring before the Legislature.

A committee from the House, Representatives Whiting, Jones and Clark notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Welch reported that the Senate Committee had notified the House.

Senator Call with his Joint Committee to notify the Governor entered the Senate chambers with His Excellency, Governor Calvin L. Rampton who then addressed members of the Senate and made the following brief statement:

It has been a long busy day and as Chief Executive I appear before the members of this Legislative body to thank each of you for your cooperation. However, I think the dilemma of the political subdivisions unable to market capitol improvement bonds has not been fully solved. "More light might be shed on the problem by the courts in the coming months which may lead me to confer with the Legislative leaders sometime in the later summer on the possibility of a brief special session to solve the problem."

The Joint Committee then escorted the governor from the Senate Chamber.

President Haven J. Barlow then made the following short statement:

I feel that the First Budget Session has been a tremendous experience in upgrading the Legislative Body. "Voters in 1968 approved a constitutional amendment providing for the Budget Session in even numbered years in addition to the 60 day general session in odd numbered years.

The Budget Session allowed the general Legislators to become far more expert in fiscal affairs and I feel the session has been very successful in this regard. I have been a little disappointed in the bulk of non-budgetary proposals taken up by the budget session. We've got to learn to restrain ourselves more to what is actually urgent in non-fiscal legislation."

January 31, 1970

Mr. President:

Your Chairman on Revision of the Journal respectfully reports that we have read the Journal for the twentieth day and find it correct with minor amendments noted on the final copy.

Respectfully,

RICHARD A. CALL,
Chairman

Committee report read and adopted.

President Barlow thanked the Committee to notify the House and the Committee to wait upon the Governor for their reports and discharge of their duties.

Benediction was then given by Senator Wallace H. Gardner.

On motion of Senator Greenwood, the 1970 Budget Session of the 38th Legislature of the Utah State Senate adjourned sine die.

SENATE VETO MESSAGE CONCERNING S. B. NO. 29

STATE OF UTAH
Office of the Governor
Salt Lake City

CALVIN L. RAMPTON
Governor

February 12, 1970

The Honorable Clyde L. Miller
Secretary of State

Dear Mr. Miller:

I am transmitting to you disapproved, S. B. 29 of the Budget Session of the 38th Legislature, entitled "Utah State Officials Salary Act."

This act appears to have been amended a number of times on the floor of the House of Representatives without adequate consideration of the effect of the amendments. For example: The salary of the Director of the Department of Business Regulation, formerly fixed by the Board of Examiners, is, in this act fixed by statute, but at a level substantially below the salary of other departmental directors having comparable responsibility. No provision at all is made for compensation to the Chairman of the Public Service Commission. The Legislature apparently was of the opinion that the Director of the Department of Business Regulation was the Chairman of the Public Service Commission, whereas, Sec. 13-1-2, U.C.A. 1953, as enacted by Chapter 34, Laws of Utah 1969, specifically states that he may not be.

Finally, in requiring a unanimous vote of the Board of Examiners for action on certain matters, the act is in violation of the Constitution of the State of Utah on the basis set forth in the opinion of the Attorney General, a copy of which is attached to this veto message.

Sincerely,

CALVIN L. RAMPTON,
Governor

COMMUNICATION FROM THE ATTORNEY GENERAL TO
OFFICE OF THE GOVERNOR CONCERNING

S. B. NO. 29 STATE OFFICIALS SALARY ACT
STATE OF UTAH

State Capitol - Salt Lake City

VERNON B. ROMNEY
Attorney General

February 12, 1970

Honorable Calvin L. Rampton
Governor of Utah

Dear Governor Rampton:

This is in response to your request for an opinion as to the constitutionality of a portion of Senate Bill No. 29. The constitutional question arises out of the requirement in Section 2 of the act that before a state executive may be paid a salary greater than the governor's salary, the unanimous approval of the Board of Examiners must be had.

Time limitations have not permitted us to research this problem as thoroughly as would be desirable, but from what we have been able to do, it appears that there is some doubt as to the constitutionality of the Legislature requiring the unanimous approval of the Board of Examiners. The basis for this is that this requirement may be an infringement upon the powers and duties delegated to the Board of Examiners by Article VII, Section 13 of the Utah Constitution. This Section reads:

"Until otherwise provided by law, the Governor, Secretary of State and Attorney General shall constitute . . . a Board of Examiners, with power to examine all claims against the State except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law; and no claim against the State, except for salaries and compensation of officers fixed by law, shall be passed upon by the Legislature without having been considered and acted upon by said Board of Examiners."

There is no Utah Supreme Court decision directly in point on the instant question, but attention is directed to the case of *Toronto v. Clyde*, 393 P.2d 795 (1964). This case involved statutes which, among other things, gave the Director of Finance, with the approval of the Governor, authority to set up salary schedule for state employees. One of the arguments made in support of the constitutionality of the statute was that there is no basis in the language of Article VII, Section 13 of the Constitution to warrant a conclusion that the Board of Examiners may set or pass on salaries. In holding the statute unconstitutional, the Court said:

"Authorizing the Director of Finance to fix a schedule of salaries is constitutionally innocuous and undoubtedly salutary. But this is coupled with the provisions that such a schedule "of salaries shall have the force of law . . . and shall in no case be exceeded without the express approval of the director of finance" and that " . . . No

salary schedule shall be put into effect until approved by the governor." It is plain to be seen that these provisions would give the power of final approval or disapproval over the payment of salaries to the Director of Finance and/or the Governor. This would make the submission of salary requests to the Examiners but a meaningless gesture and would effectively remove from them the control over state finances given them by the Constitution. This conclusion is re-enforced by the restriction in the statute that Examiners "shall not have authority to fix * * * salaries set by the director of finance or * * * by agency governing boards."

A further question posed by the parties prompts this observation: The three named officials functioning as a Board of Examiners are, of course, governed by majority vote, and any action taken requires the concurrence of two of the three members. And in a situation where one or more is absent and unable to vote, his subsequent vote upon his return is a valid and effective exercise of his duty and prerogative."

The reason for quoting the above statements is to show that control over state finances, including the examination and approval of state salaries, is a power vested in the Board of Examiners by the Constitution; also, that the court has observed that the Board of Examiners is governed by a majority vote. Although Senate Bill No. 29 does not affect this power, it does raise a question as to whether or not the requirement of a unanimous vote is such an interference with the powers, duties and functions of a constitutionally established board as to render the requirement invalid.

Article VII, Section 3 of the Constitution is silent as to how the Board of Examiners should vote but the Utah Supreme Court has observed that it is by majority vote. In any event, it would seem to be the prerogative of the Board of Examiners as to how they should conduct their business. As you know, there are two recent Utah Supreme Court cases which are somewhat analogous to the instant situation, namely, *Allen v. Rampton* (December, 1, 1969, No. 11804), and *Rampton v. Barlow* (January 19, 1970, No. 11725). Perhaps *Allen v. Rampton* is the one most closely in point. In that case, the Legislature enacted a State Money Management Act under which the investment of state funds, which was formerly performed by the State Treasurer, was placed under the control and supervision of an investment council and an investment officer. The court held the act unconstitutional on the basis that the office of State Treasurer is a constitutional office and the Legislature could not interfere with the duties of the State Treasurer. In the instant situation, it appears that the Legislature may be attempting to interfere with the Board of Examiners in the performance of their duties by requiring the unanimous vote of the Board of Examiners.

The case of *Rampton v. Barlow* is somewhat along the same line. In that case, the Legislature reserved to itself the right to appoint some of the members of the State Board of Higher Education. The court, in substance, held that this was unconstitutional for the reason that the Legislature was

attempting to perform a function that properly belonged to the executive branch of government, not the legislature.

Our research disclosed that there are four states whose constitution provides for a board of examiners—Utah, Idaho, Montana, Nevada—and one, Michigan, with a state board of auditors which is substantially the same. Examination of the annotations under these constitutional provisions did not reveal any court case similar to the instant situation.

In summary, we cannot say with certainty that Section 2 of Senate Bill No. 29 is unconstitutional, but there is no doubt that there is a close constitutional question involved.

With respect to the severability of a portion of Senate Bill No. 29 in the event it should be declared unconstitutional, our research has been limited but we have not come across a Utah case on this question where there has not been a severability clause in the act. The general rule seems to be, however, that severability is a matter of legislative intent, regardless of a severability clause, and if the remaining portions of an act after the unconstitutional part has been removed are able to stand by themselves independently and are not so interrelated with the unconstitutional part they will not be declared unconstitutional.

As to Section 2 of the bill, it would appear that the requirement for unanimous approval of the Board of Examiners is so interrelated with the other provisions of that section and the stated intent of the Legislature that it is doubtful that the rest of the section would stand if the requirement of unanimous consent were declared unconstitutional.

Very truly yours,

H. WRIGHT VOLKER,
Assistant Attorney General

LETTER FROM THE GOVERNOR EXPLAINING
"WITHOUT ACTION" STATUS CONCERNING H. B. NO. 8
COMMON DAY OF REST ACT

(Bill becomes law without Governor's Signature)

STATE OF UTAH
Office of the Governor

CALVIN L. RAMPTON
Governor

The Honorable Clyde L. Miller
Secretary of State

February 12, 1970

Dear Mr. Miller:

I am transmitting to you, without action, H. B. 8, passed by the Budget Session of the 38th Legislature, entitled "Common Day of Rest Act."

Desirable as voluntary closing of retail outlets on Sunday may be, I do not favor the use of the power of the state to compel closing, and do not wish to endorse this policy by signing the bill.

However, as the act utilizes the injunctive power rather than criminal sanctions as a means of enforcement, the problem of constitutionality, which has caused the veto or judicial invalidation of prior laws of this nature, does not exist in this one. Therefore, the act appears to be a valid, though I feel ill-advised, exercise of the legislative power, and the justification for an executive veto does not exist.

Sincerely,

CALVIN L. RAMPTON,
Governor

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													A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sitting Committee O — Other Action • — Action After Session
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2	Pugh, et al. — School District Indebtedness	43	43 50 77		78	91	91 161 173	130 172 177		177	177	*2/10/70	X-79-80-90 O-161 C-172
3	Pugh, et al. — Municipal Bond Act Amendments ..	43	43 50 77		89	90	90 147 165	140 168		168	168	*2/10/70	X-80-89 A-89-90 T-141-147 O-146-147-165 C-47-165
4	Pugh, et al. — Water and Sewer Improvement District Law	43 44	44 50 77		91	91	91 165	141 173		174	173	*2/10/70	X-80-91 A-91 T-141-147 O-147-165 C-165

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SENATE BILLS (Continued)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
5	Pugh, et al. — Revenue Bonds of Counties and Municipalities	44	44 50 77	44 50 77		92	92	92 166	141 173		173	173	*2/10/70	X-80-92 A-92 T-141 O-165 C-165
6	Pugh, et al. — County Special Improvement Districts	44 45	45 50 77	45 50 77		92	92	93 166	141 142 170		170	170	*2/10/70	X-80-92 A-92 T-142 O-165 C-166
7	Pugh, et al. — Municipal Special Improvement Districts	45	45 50 77	45 50 77		94	95	95 166	142 171		171	171	*2/10/70	X-80-94 A-95 T-142 C-168
8	Pugh, et al. — Indebtedness of Cities and Towns	45	45 50 77	45 50 77		95	95	95	167 168		168	168	*2/10/70	X-80-95
9	Pugh, et al. — Bonds of State Institutions of Higher Learning	45 46	46 50 77	46 50 77		98	96	96 167	142 171		171	171	*2/10/70	X-80-96 A-96 T-142 O-165 C-167
10	Pugh, et al. — Indebtedness of Counties	46	46 50 77	46 50 77		97	97	97 172	171 177		177	177	*2/10/70	X-80-97 C-172

SENATE BILLS

Number	AUTHOR — TITLE (Abrev.)	Introduction and Read First Time	Rules Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur: Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	REFERENCES		
													A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action • — Action After Session		
11	Bunnell, et al. — School Finance Act Special Units ..	46 47	47 53											O-176 F-176	
12	Brockbank, et al. — Insurance Fund Transfer Repeal	47	47 56 86		106	106	107	119		119	119	*2/2/70			
13	Clark, et al. — State School Building Aid	47	47 54 53 86		107	134	134 154	154 162 163		163	163	*2/10/70		X-107-121 O-121-133 A-132-133 C-134	
14	Aleop, et al. — Subpoena and Immunity Powers	52	52 66											O-176 F-176	
15	Barnett, et al. — Fire Fighters Negotiation Act	52	52 72 73											O-176 F-176	
16	Clark, et al. — School Finance Program	52 53	53											O-176 F-176	
17	Aleop, et al. — Triple Prescription	58 59	59 72											O-176 F-176	
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SENATE BILLS (Continued)

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18	Alsup, et al. - Division of Drugs	59	59 70 105		112	117	117	149		149	149	*2/9/70	A-112-113-114-115- 116-117
19	Leavitt, et al. - Basic Science Law Exemptions	63	63 73 86		111	111	111	150		150	150	*2/12/70	A-111
20	Brockbank, et al. - Funds For Redevelopment Agencies	63 64	64 75 104 105		121	121	122	154		155	155	*2/10/70	
21	Garfield, et al. - Utah Controlled Dangerous Substance Act	67	67 88										O-176 F-176
22	Dean, et al. - Insurance Discrimination	67	67 87 111		123	123	123	155		155	155	*2/10/70	
23	Pugh, et al. - County Service Area Act Amendments	76 77	77 87 111		117	117	117 167	143 169		170	169	*2/10/70	T-143 O-165 C-167
24	Leavitt, et al. - Members To The State Board of Higher Education	77	77 87 111		124	124	124	155 156		156	156	*2/10/70	

SENATE BILLS

Number	AUTHOR — TITLE (Abrev.)	Introduction and Read First Time	Rules Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	Signed by Governor	REFERENCES
25	Pugh, et al. — Appropriation From Highway Construction and Maintenance Fund to State Collector Road Fund	93	93 105 164		164								T-164 O-175 F-175
26	Pugh, et al. — Appropriation From Highway Construction and Maintenance Fund To Class B and Class C Roads	93 94	94 105 164		164	164	164	170		170	170	*2/10/70	T-164 O-175 F-175
27	Bullen, et al. — Student Loan Program	94	94 135 164		164	164	164	170		170	170		T-164 O-175 F-175
28	Barnett, et al. — Voting Districts	121	121										O-176 F-176
29	Brockbank, et al. — State Officials Salary Act	128	128 129		163	163	163 179	176 180		180	180	*Vetoed 2/12/70	O-163 C-178

SENATE JOINT RESOLUTIONS (Continued)

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13	Alsoop, et al. — Controlled Dangerous Substance Act Resolution	87											T-87 O-175 F-175
14	Alsoop, et al. — Division of Drugs Resolution	70			75	75	75	100	100	100	100	1/30/70	U-71 X-71-74 A-74
15	Barnett, et al. — Fire Fighters Negotiation Act Resolution	73											T-43 O-175 F-175
16	Dean, et al. — Insurance Discrimination Resolution	87			87	87	88	109	109	109	109	1/30/70	
17	Pugh, et al. — County Service Area Act Resolution	88			88	88	88	109	109	109	109	1/30/70	
18	Authorizing Introduction of Health, Education and Welfare												
(Never introduced because S.J.R. No. 11 which it was to cover remained in rules until Jan. 31 at which time S-Struck the enacting clause)													
19	Leavitt, et al. — State Board of Higher Education Resolution	89			89	89	89	110	110	110	110	1/30/70	
20	Pugh, et al. — Appropriation From Highway Construction and Maintenance Fund to State Collector Road Fund Resolution	105			122	122	122	150	150	150	150	1/31/70	

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abrev.)	Introduction and Read First Time	Rules Committee	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur: Conference	Signed by President	Signed by Speaker	Transmitted to Secretary of State	REFERENCES
21	Pugh, et al. — Appropriation From Highway Construction and Maintenance Fund to Class B and Class C Roads Resolution	106			122	122	122	152	152	152	152	1/31/70	A X F V T C U S O
22	Leavitt, et al. — Study of Funding County-City Health Departments Merger	94	94 98 111		123	123	123	156	156	156	156	1/30/70	A-123
23	Leavitt, et al. — Study of Funding County-City Health Departments Merger Resolution	98			99	99	99	106	109	108	108	1/30/70	
24	Dean, et al. — Model Insurance Holding Company Regulatory Act	110	110										O-176 F-176
25	Barnett, et al. — Voting Districts Resolution												

(Never introduced because S. B. No. 28 which it was to cover remained in rules until January 31 at which time the S-Struck the enacting clause)

SENATE JOINT RESOLUTIONS (Continued)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
26	Brockbank, et al. - State Officials Salary Act Resolutions		129			129	129	129	162		162	162	162	162
27	Bullen, et al. - Student Loan Program Resolution		136			137	137	138	162		162	162	162	162

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8	Judd, et al. - Common Day of Rest Act		130		134	136	137	137		(Became law without Governor's signature)
9	Reed, et al. - School Finance Program		147 148		157	159	159 180	180	*2/10/70	O-152-157-159 A-157-158-159 C-180
10	Mr. Nelson - Supplemental Appropriation Bill		145		145	145	146	146	*2/5/70	
11	Mr. Nelson - Appropriations Act		160		161	161	161	161	*2/5/70	
12	Howe, et al. - Small Claims Court		150 151		152	152	153	153	*2/10/70	
13	Brockbank, et al. - Utah State Officials Salary Act		179		179	179	179	179	*2/8/70	

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Number	AUTHOR — TITLE (Abbrev.)	REFERENCES								
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5	Carling, et al. — Individual Income Tax Credits	101	101	108	108	108	108	108		
6	Howe, et al. — State Holidays Resolution	79		108	108	108	108	108		
7	Howe, et al. — Small Claims Court Resolution	101 102	102 135	137	137	137	137	137		
9	Jensen, et al. — Health, Education and Welfare Resolution	102	102						O-176 F-176	
11	Judd, et al. — Common Day of Rest Act Resolution	102	102	118	118	118	118	118		

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HOUSE JOINT RESOLUTIONS (Continued)

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14	Halverson, et al. — Legislative Council Reorganization Resolution		103	103 127	131	138 153	139 153	153	U-132 T-132 O-138 A-138 C-153
15	Madsen, et al. — Arrests For Violations of Drug Abuse Control Law Resolution		103	103				O-176 F-176	
16	Madsen, et al. — Arrests For Violations of Uniform Narcotic Act Resolution		103 104	104				O-176 F-176	
18	Redd, et al. — School Finance Program Resolution		110	110 120	120	120	120	120	
19	Halverson, et al. — Purchase of Firearms Resolution		148		157	157	157	157	T-152 O-153 U-157

HOUSE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	REFERENCES						
		Received from House Introduced and Read First Time	Standing Committee	Read Second Time	Read Third Time	Returned to House	Signed by President	A Amended X Special Order F Enacting Clause Struck V Veto Y Tabbed C Concurred U Unfinished Business S Sinking Committee O Other Action • Action After Session
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22	Mr. Phelps — Authorizing Introduction of Excursion Railroad Resolution	149						T-152 O-175 F-175
23	Halverson, et al. — Legislative Council Committee Reorganization Resolution	151		174	174 174 (failed)	174		T-152 O-173 A-174

CONCURRENT MEMORIAL NO. 1

Number	AUTHOR — TITLE (Abbrev.)	Received from House	Introduced and Read First Time	Standing Committee	Read Second Time	Read Third Time	Returned to House	Signed by President	Signed by Governor	REFERENCES
1	Condolences Re: David O. McKay (Signed by all members of both Senate and House)	60 61			61	61	62	62	1/21/70	O-62

FINAL DISPOSITION OF ALL BILLS CONSIDERED BY SENATE

SENATE BILLS AND RESOLUTIONS

S. B. Subject Matter	Final Disposition
1 State Promissory Notes	*Signed by Gov. Feb. 9
2 School District Indebtedness	*Signed by Gov. Feb. 10
3 Municipal Bond Act Amendments	*Signed by Gov. Feb. 10
4 Water and Sewer Improvement District Law	*Signed by Gov. Feb. 10
5 Revenue Bonds of Counties and Municipalities ..	*Signed by Gov. Feb. 10
6 County Special Improvement Districts	*Signed by Gov. Feb. 10
7 Municipal Special Improvement Districts	*Signed by Gov. Feb. 10
8 Indebtedness of Cities and Towns	*Signed by Gov. Feb. 10
9 Bonds of State Institutions	*Signed by Gov. Feb. 10
10 Indebtedness of Counties	*Signed by Gov. Feb. 10
11 School Finance Act Special Units	S-Struck Enacting Clause Jan. 31
12 Insurance Fund Transfer Repeal	*Signed by Gov. Feb. 2
13 State School Building Aid	*Signed by Gov. Feb. 10
14 Subpoena and Immunity Powers	S-Struck Enacting Clause Jan. 31
15 Fire Fighters Negotiation Act	S-Struck Enacting Clause Jan. 31
16 School Finance Program	S-Struck Enacting Clause Jan. 31
17 Triplicate Prescriptions	S-Struck Enacting Clause Jan. 31
18 Division of Drugs	*Signed by Gov. Feb. 9
19 Basic Science Law Exemptions	*Signed by Gov. Feb. 12
20 Funds For Redevelopment Agencies	*Signed by Gov. Feb. 10
21 Utah Controlled Dangerous Substances Act	S-Struck Enacting Clause Jan. 31
22 Insurance Discrimination	*Signed by Gov. Feb. 10
23 County Service Area Act	*Signed by Gov. Feb. 10
24 Members of State Board of Higher Education	*Signed by Gov. Feb. 10
25 Appropriation From Highway Construction and Maintenance Fund To State Collector Road Fund	S-Struck Enacting Clause Jan. 31
26 Appropriation From Highway and Maintenance Fund To Class B and Class C Roads	S-Struck Enacting Clause Jan. 31
27 Student Loan Program	*Signed by Gov. Feb. 10

SENATE BILLS AND RESOLUTIONS (Continued)

28	Voting Districts	S-Struck Enacting Clause Jan. 31
29	State Officials Salary Act	*Vetoed Feb. 12
S. J. R. Subject Matter		Final Disposition
1	Bonding By Political Subdivisions Resolution	Transmitted to Sec. of State Jan. 26
2	Electors At Debt Elections	Amended to S. J. R. No. 7 Jan. 20
3	Minimum School Finance Act	Failed in Senate Jan. 19
4	State School Building Aid Resolution	Transmitted to Sec. of State Jan. 30
5	Funding Salt Lake County-Salt Lake City Health Departments Merger	House Rejected Jan. 26
6	Subpoena and Immunity Powers	Failed in Senate Jan. 23
7	Debt Elections Amendment	Failed in House Jan. 31
8	Insurance Fund Transfer Repeal	Transmitted to Sec. of State Jan. 30
9	Basic Science Law	Transmitted to Sec. of State Jan. 30
10	Redevelopment Agency Borrowing Authority	Transmitted to Sec. of State Jan. 30
11	Health, Education and Welfare	S-Struck Enacting Clause Jan. 31
12	Triplicate Prescriptions	S-Struck Enacting Clause Jan. 31
13	Controlled Dangerous Substances Act	S-Struck Enacting Clause Jan. 31
14	Division of Drugs	Transmitted to Sec. of State Jan. 30
15	Fire Fighters Negotiation Act	S-Struck Enacting Clause Jan. 31
16	Insurance Discrimination Resolution	Transmitted to Sec. of State Jan. 30
17	County Service Area Act	Transmitted to Sec. of State Jan. 30
18	Authorizing Introduction of Health, Education and Welfare	(Never introduced be- cause SJR No. 11 which it was to cover remained in rules until Jan. 31 at which time S- Struck Enacting Clause)

SENATE BILLS AND RESOLUTIONS (Continued)

S. J. R. Subject Matter	Final Disposition
19 State Board of Higher Education	Transmitted to Sec. of State Jan. 30
20 Appropriation From Highway Construction Maintenance Fund To State Collector Road Fund Resolution	Transmitted to Sec. of State Jan. 31
21 Appropriation From Highway Construction and Maintenance Fund To Class B and C Roads	Transmitted to Sec. of State Jan. 31
22 Funding County-City Health Departments Merger - Study of	Transmitted to Sec. of State Jan. 31
23 Funding County-City Health Departments Merger Resolutions	Transmitted to Sec. of State Jan. 30
24 Model Insurance Holding Co. Regulatory Act	S-Struck Enacting Clause Jan. 31
25 Voting Districts Resolution	(Never introduced because SB No. 28 which it was to cover remained in rules until Jan. 31 at which time the S-Struck Enacting Clause)
26 State Officials Salary Act Resolution	Transmitted to Sec. of State Jan. 31
27 Student Loan Program Resolution	Transmitted to Sec. of State Jan. 31

HOUSE BILLS AND RESOLUTIONS

H. B. Subject Matter	Final Disposition
3 Farm Land Assessment Act Effective Date	*Signed by Gov. Feb. 2
4 Fees Of Financial Institutions	*Signed by Gov. Feb. 2
5 Property Appraisal Program	*Signed by Gov. Feb. 5
6 Holidays	*Signed by Gov. Feb. 6
7 State Building Program	*Signed by Gov. Feb. 6
8 Common Day Of Rest Act	Transmitted to Sec. of State without action Feb. 12, 1970 (Becomes law with- out Governor's Sig- nature)
9 School Finance Program	*Signed by Gov. Feb. 10
10 Appropriation Bill – Supplemental	*Signed by Gov. Feb. 5
11 Appropriations Act	*Signed by Gov. Feb. 9
12 Small Claims Court	*Signed by Gov. Feb. 10
13 Firearms, Purchase of	*Signed by Gov. Feb. 6

H. J. R. Subject Matter	Final Disposition
5 Individual Income Tax Credits	S-Struck Enacting Clause Jan. 31
6 State Holidays Resolution	Transmitted to Sec. of State Jan. 31
7 Small Claims Court Resolution	Transmitted to Sec. of State Feb. 4
9 Health, Education & Welfare Resolution	S-Struck Enacting Clause Jan. 31
11 Common Day of Rest Act Resolution	Transmitted to Sec. of State Feb. 3
12 Election Advertising Expense Act Resolution ...	Failed in Senate Jan. 31
14 Legislative Council Reorganization Resolution ..	Transmitted to Sec. of State Feb. 3
15 Drug Abuse Control Law, Arrest For Violations Of	S-Struck Enacting Clause Jan. 31
16 Uniform Narcotics Act Resolution, Arrests For Violation of	S-Struck Enacting Clause Jan. 31
18 School Finance Program Resolution	Transmitted to Sec. of State Jan. 31
19 Firearms Resolution, Purchase of	Transmitted to Sec. of State Feb. 5

HOUSE BILLS AND RESOLUTIONS (Continued)

H. J. R. Subject Matter	Final Disposition
21 Bond Election Act Resolution	S-Struck Enacting Clause Jan. 31
22 Authorizing Excursion Railroad Resolution	S-Struck Enacting Clause Jan. 31
23 Legislative Council Committee Reorganization Resolution	Failed in Senate Jan. 31
 C. M. Disposition of Concurrent Memorial	
1 Condolences Re: David O. McKay	Signed by Gov. Jan. 21

SPECIAL NOTICE

In using the alphabetical index which follows, please use the following procedure:

Look up subject matter and then refer to either the Senate or House numerical index as the case may be and from the numerical index you can follow through in logical sequence the passage of any bill or resolution.

In the case of special committee or reference, turn to the page number indicated.

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Appropriation - Class "B"- "C" Roads	S.B. 26	Failed
Appropriation - Class "B"- "C" Roads	S.J.R. 21	Transmitted to Sec. of State Jan. 31
Appropriation - State Collector Road Fund	S.J.R. 20	Transmitted to Sec. of State Jan. 31
Authorizing Introduction of Health & Welfare	S.J.R. 18	(Never introduced because SJR 11 which it was to cover remained in rules until Jan. 31 at which time Senate Struck the Enacting Clause)
- B -		
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Bonding - Political Subdivision	S.J.R. 1	Transmitted to Sec. of State Jan. 26
Bond Election Resolution	H.J.R. 21	Failed
Bonds - County Service Area Act	S.B. 23	Chapter 10
County Service Area Act Resolution	S.J.R. 17	Transmitted to Sec. of State Jan. 30
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Common Day of Rest	H.B. 8	Chapter 25 (Became law without governor's signature)
Common Day of Rest Resolution	H.J.R. 11	Transmitted to Sec. of State Feb. 3
Controlled Dangerous Substance Act	S.B. 21	Failed
Controlled Dangerous Substance Act Resolution	S.J.R. 13	Failed
- D -		
Debt Election Amendment	S.J.R. 7	Failed
Division of Drugs	S.B. 18	Chapter 22
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- E -		
Election Advertising Expense Res.	H.J.R. 12	Failed
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Firefighters Negotiation Act Resolution ..	S.J.R. 15	Failed
Funding Salt Lake County - Salt Lake City Health Departments Merger	S.J.R. 5	Failed
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- I -		
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- L -		
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- M -		
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- P -		
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- S -		
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Subpoena and Immunity Powers	S.B. 14	Failed
Subpoena and Immunity Powers Resolutions	S.J.R. 6	Failed
- T -		
Triplicate Prescriptions	S.B. 17	Failed
Triplicate Prescriptions Resolution	S.J.R. 12	Failed
- U -		
Uniform Narcotics Act Resolution	H.J.R. 16	Failed
Utah Controlled Dangerous Substances Act	S.B. 21	Failed
- V -		
Voting Districts	S.B. 28	Failed
Voting Districts Resolution	S.J.R. 25	(Never actually introduced— SB No. 28 which was to cover remained in Rules until Jan. 31 at which time S-Struck enacting Clause)

HOUSE OF REPRESENTATIVES

District	County	Name	Party
1	Salt Lake	Stanford P. Darger	R
2	Salt Lake	Richard J. Carling	R
3	Salt Lake	Beatrice Marchant	D
4	Salt Lake	Ferdinand E. Peterson	R
5	Salt Lake	Allan E. Mecham	R
6	Salt Lake	Frank V. Nelson	R
7	Salt Lake	Moroni L. Jensen	D
8	Salt Lake	Gordon A. Madsen	R
9	Salt Lake	James W. Platt	D
10	Salt Lake	Nellie Jack	D
11	Salt Lake	Gerald L. Woodmansee	D
12	Salt Lake	Neil D. Schaerrer	R
13	Salt Lake	Della L. Loveridge	D
14	Salt Lake	M. Byron Fisher	R
15	Salt Lake	Franklyn B. Matheson	R
16	Salt Lake	Homer F. Wilkinson	R
17	Salt Lake	Lorin N. Pace	R
18	Salt Lake	T. Quentin Cannon	R
19	Salt Lake	Richard C. Howe	D
20	Salt Lake	Georgia Peterson	R
21	Salt Lake	Donald B. Milne	R
22	Salt Lake	Kenneth A. Brady	R
23	Salt Lake	Glen W. Crump	D
24	Salt Lake	Milly Oberhansley	D
25	Salt Lake	Leon H. Savage	R
26	Salt Lake	Vern A. Carter	R
27	Salt Lake	Del L. Buckner	D
28	Salt Lake	D. Leon Reese	D
29	Weber	Calvin Gould	D
30	Weber	Ronald T. Halverson	R
31	Weber	Brian Florence	D
32	Weber	Ronald W. Inkley	R
33	Weber	Nathaniel D. Clark	D
34	Weber	C. DeMont Judd Jr.	D
35	Weber	Marion L. Powell	R
36	Weber	Ben E. Fowler	R
37	Utah	Glen T. Anderson	R
38	Utah	David C. Harvey	D
39	Utah	R. Ralph Benson	R

HOUSE OF REPRESENTATIVES (Continued)

District	County	Name	Party
40	Utah	Howard C. Nielson	R
41	Utah	H. Verlan Andersen	R
42	Utah	Dean C. Christensen	R
43	Utah	Harold J. Whiting	R
44	Utah	William Robert Phelps	R
45	Davis	John P. Redd	R
46	Davis	J. Dean Hill	R
47	Davis	Robert M. Arbuckle	R
48	Davis	Franklin W. Knowlton	R
49	Davis	Kenneth O. Holt	R
50	Cache	Franklin W. Gunnell	R
51	Cache	Dale H. Workman	R
52	Cache	Charles B. Leatham	R
53	Box Elder	Ruel M. Eskelsen	R
54	Box Elder	Malcolm C. Young	R
55	Carbon	Mike Dmitrich	D
56	Carbon	Larry Regis, Jr.	D
57	Tooele	F. Chileon Halladay	D
58	Tooele	John E. Smith	D
59	Morgan, Rich, and Summit	Glen Thurston	R
60	Duchesne and Wasatch	Dr. Dannel S. Dennis	R
61	Uintah and Daggett	Glade M. Sowards	R
62	Juab and Millard	Homer U. Petersen	D
63	Sanpete	Vance W. Aagard	R
64	Emery and Grand	Kenneth Silliman	R
65	Sevier	Lawrence W. Jones	R
66	San Juan	C. Alfred Frost	R
67	Beaver, Garfield, Wayne and Piute	Royal T. Harward	R
68	Iron	J. Harold Mitchell	R
69	Kane and Washington	Sidney J. Atkin	R

SENATE

District	County	Name	Party
1	Salt Lake	W. Hughes Brockbank	R
2	Salt Lake	Richard V. Evans	D
3	Salt Lake	Charles Welch, Jr.	R
4	Salt Lake	Grant A. Whitman	D
5	Salt Lake	C. Taylor Burton	R
6	Salt Lake	C. Earl Alsop	R
7	Salt Lake	Warren E. Pugh	R
8	Salt Lake	Wilmer L. Barnett	R
9	Salt Lake	Orren J. Greenwood	R
10	Salt Lake	Edward T. Beck	D
11	Salt Lake	Carl E. Pettersson	D
12	Weber	Merrill Jenkins	D
13	Weber	Rulon R. Garfield	R
14	Weber	E. LaMar Buckner	R
15	Utah	Ernest H. Dean	D
16	Utah	Richard A. Call	R
17	Utah	Wallace H. Gardner	R
18	Davis	Ezra T. Clark	R
19	Davis	Haven J. Barlow	R
20	Box Elder	Miles (Cap) Ferry	R
21	Cache	Reed Bullen	R
22	Morgan, Rich, Summit, Wasatch and Duchesne	Robert F. Clyde	R
23	Carbon	Omar B. Bunnell	D
24	Uintah, Grand, Daggett and Emery	Ralph Preece	R
25	Tooele and Juab	Ernest G. Mantes	D
26	Sanpete, Millard and Beaver	G. Stanford Rees	R
27	Washington, Iron and Kane	Dixie Leavitt	R
28	Sevier, Garfield, Piute, Wayne and San Juan	Kendrick Harward	R