

**MINUTES OF THE  
SENATE HEALTH AND ENVIRONMENT STANDING COMMITTEE  
FEBRUARY 19, 1998, 4.00 P. M.  
ROOM 414, STATE CAPITOL**

Members Present:     Sen. Robert Muhlestein  
                          Sen. John P. Holmgren  
                          Sen. Robert Montgomery  
                          Sen. Millie A. Peterson

Members excused:    Sen .LeRay McAllister  
                          Sen. Robert Steiner

Staff Present:        Brian Allred, Research Analyst  
                          Karen Allred, Committee Secretary

List of others present on file:

Chair Muhlestein called the meeting to order at 4:23 p.m.

**1.     S.B. 196 High Level Nuclear Waste Disposal (C. Peterson)**

Senator Craig Peterson proposed the following amendments.

1. Page 10, Line 28:            After "(c)" delete the rest of the line.
  
2. Page 10, Line 29:            delete "part." and insert "The Legislature may appropriate the funds in this account to departments of state government as necessary for those departments to carry out their duties to implement this part."

**MOTION:** Senator Millie Peterson moved to adopt the amendments.

The motion passed unanimously.

Speaking in opposition to the bill: David R. Bird, Attorney, Parsons, Behle & Latimer, Rex Allen, Secretary, Skull Valley Band of Goshute Indian Nation.

Speaking in favor of the bill: Steve Erickson, Downwinders, Dianne Nielson, Department of Environmental Quality.

**MOTION:** Senator Millie Peterson moved to pass the bill out favorably as amended.

The motion passed, with Senators Muhlestein, Montgomery, and Peterson voting for, and Senator Holmgren voting against.

2. **S.B. 187 Utah Council of Victims** ( *C. Peterson* )

Senator Peterson proposed the following amendments.

1. Page 1, Line 16: Delete "21" and insert "23"
2. Page 2, Line 12: Delete "one citizen" and insert "three citizens" and after "governor" delete "to act as chair of the council" and after line 12 insert:  
"(2) The members of the council shall submit the names of three of their members to the governor from which the governor shall appoint one member as chair of the council."
3. Page 2, Line 16: Delete "1/3" and insert "seven of the members"
4. Page 2, Line 17: After "term," delete "1/3" and insert "eight" and after ",  
and" delete "1/3" and insert "eight"

**Renumber remainder of subsections accordingly**

Speaking to the bill: Scott Daniels, Attorney, and Reed Richards.

**MOTION:** Senator Montgomery moved to adopt the amendments.

The motion passed unanimously.

**MOTION:** Senator M. Peterson moved to pass the bill out favorably as amended.

The motion passed unanimously.

3. **S.B. 168 Child Abuse Database Amendments** ( *C. Peterson* )

Senator Peterson proposed the following amendments:

1. Page 2, Line 24: After "by" insert "(A)" and after "only" insert:  
"; and  
(B) subject to the provisions of Subsection (c), the Bureau

of Health Facility Licensure within the Department of Health for the purpose of licensing a child provider or for determining whether a person associated with a covered health care facility, as defined by the Department of Health by rule, who provides direct care to a child has a substantiated finding of child abuse or neglect"

2. Page 3, Lines 3-5: Delete lines 3-5 and insert:  
"(c)(i) The Department of Health shall:  
(A) designate two persons within the Department of Health to access the licensing part of the management information system; and  
(B) adopt measures to:  
(I) protect the security of the licensing part of the management information system; and  
(II) strictly limit access to the licensing part of the management information system to those designated under Subsection (4)(c)(i)(A).  
(ii) Those designated under Subsection (4)(c)(i)(A) shall receive training from the department with respect to:  
(A) accessing the licensing part of the management information system;  
(B) maintaining strict security; and  
(C) the criminal provisions in Section 62A-4a-412 for the improper release of information.  
(iii) Those designated under Subsection (4)(c)(i)(A):  
(A) are the only ones in the Department of Health with the authority to access the licensing part of management information system; and  
(ii) may only access the licensing part of the management information system in accordance with the provisions of Subsection (4)(a)(ii)."
3. Page 3, Line 20: Delete "and"
4. Page 3, Line 21: After the semicolon insert:  
"and;  
(iv) covered health care facilities;"
5. Page 4, Line 25: Before "statement" insert "hearsay"

**MOTION:** Senator M. Peterson moved to adopt the amendments.

The motion passed unanimously.

Speaking to the bill: Scott Clark, Attorney, Chairman, Board of Child and Family Services, supports the bill, but suggests changes, Pamela Martinson, Attorney, Civil Liberties Union, Utah, supports the bill, but suggests changes.

Speaking for the bill: Scott Reed, Division Chief, Child Protection Division, Kent Patterson, Director, Division of Family Services, Kristin Brewer, Guardian ad litem office.

**MOTION:** Senator Montgomery moved to pass the bill out favorably as amended.

The motion passed unanimously.

**4. S.B. 219 Household Hazardous Waste Amendments ( J. Holmgren)**

Senator Holmgren presented the bill.

Speaking in favor of the bill: Robin Riggs, Chemical Specialists Manufacturer's Association.

Speaking against the bill: Dennis Downs, Director, Utah Division, Solid & Hazardous Waste.

**MOTION:** Senator Holmgren moved to pass the bill out favorably.

The motion passed unanimously.

**5. H.B. 236 Funding for Cleanup of UDOT Dumpsite ( D. Zolman)**

Representative Zolman presented the bill.

Speaking for the bill: Janice Auger, Mayor, City of Taylorsville.

**MOTION:** Senator M. Peterson moved to pass the bill out favorably.

The motion passed unanimously.

**6. H.B. 119 Provisions for Health Care Providers ( J. Buffmire)**

Representative Buffmire presented the bill.

**MOTION:** Senator Montgomery moved to pass the bill out favorably.

The motion passed unanimously.

**MOTION:** Senator moved to place the bill on the Consent Calender.

The motion passed unanimously.

7. **H.B. 309 Controlled Substances Act Amendments** (*P. Arent*)

Representative Arent presented the bill.

**MOTION:** Senator Peterson moved to pass the bill out favorably.

The motion passed unanimously.

**MOTION:** Senator Peterson moved to place the bill on the Consent Calender.

The motion passed unanimously.

**MOTION:** Senator Montgomery moved to adjourn.

The motion passed unanimously and the meeting adjourned at 6:00 p.m.

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Sen. Robert Muhlestein,  
Committee Chair

Minutes of the Senate Health & Environment Standing Committee  
February 19, 1998  
Page 6