



UTAH STATE SENATE

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NOTICE OF BILL RETURNED TO THE SECRETARY OF THE SENATE

February 21, 2000

Mr. President:

The Energy, Natural Resources, and Agriculture Committee has returned **S.B. 90, ICE CREAM AND MILK DISPENSER REQUIREMENTS**, by Senator G. Davis, to the Secretary of the Senate with the following amendments:

1. Page 1, Line 7: After "CABINETS" insert "AND MILK COOLERS"
2. Page 1, Line 10: After line 10 insert:
"4-3-8, as last amended by Chapter 130, Laws of Utah 1985"
3. Page 1, Line 12: After line 12 insert:
"Section 1. Section **4-3-8** is amended to read:
4-3-8. Licenses and permits -- Application -- Fee -- Expiration -- Renewal.
(1) Application for a license to operate a plant or to manufacture butter or cheese, pasteurize milk, test milk for payment, distribute dairy products, or haul milk in bulk shall be made to the department upon forms prescribed and furnished by it. Upon receipt of a proper application, compliance with all applicable regulations, and payment of a license fee determined by the department pursuant to Subsection 4-2-2 (2), the commissioner, if satisfied that the public convenience and

Bill Number

Action Class

Action Code

SB0090

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SCRSEEC

necessity and the industry will be served, shall issue an appropriate license to the applicant subject to suspension or revocation for cause. Each license issued under this section expires at midnight on December 31 of each year. A license to operate a plant or to manufacture butter or cheese, pasteurize milk, test milk for payment, distribute dairy products, or to haul milk in bulk is renewable for a period of one year upon the payment of an annual license renewal fee determined by the department pursuant to Subsection 4-2-2 (2) on or before December 31 of each year.

(2) Application for a permit or certificate to produce milk shall be made to the department on forms prescribed and furnished by it. Upon receipt of a proper application and compliance with all applicable regulations, the commissioner shall issue a permit entitling the applicant to engage in the business of producer, subject to suspension or revocation for cause. No fee may be charged by the department for issuance of a permit or certificate."

Renumber remaining sections accordingly.

4. Page 1, Line 16: After "section" delete the comma and insert ": (a) "liquid dairy product" means a milk container which contains a pint of milk or less; and (b) "

5. Page 1, Line 27: After "(3)" insert "(a)"

<i>Bill Number</i>	<i>Action Class</i>	<i>Action Code</i>
SB0090	S	SCRSEEC

6. Page 2, Line 28: Delete "(a)" and insert "(i)"
7. Page 2, Line 29: Delete "(b)" and insert "(ii)"
8. Page 2, Line 30: Delete "(c)" and insert "(iii)" and after line 30 insert the following:
"(b) Milk coolers may be loaned or sold to a retailer if the milk cooler:
(i) is portable;
(ii) has a storage capacity not exceeding 12 cubic feet; and
(iii) is used solely for retail display sales of liquid dairy products."
9. Page 2, Line 41: After "cabinet" insert "or milk cooler"
10. Page 2, Line 43: After "cabinet" insert "or milk cooler"

Respectfully,

Beverly Ann Evans
Committee Chair

Voting: 4-0-1

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Bill Number

Action Class

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