

**HOUSE JOURNAL**  
**of the**  
**FIFTY–SEVENTH LEGISLATURE**  
**of the**  
**STATE OF UTAH**  
  
**SECOND SPECIAL SESSION**

House Chamber  
State Capitol Complex  
Salt Lake City, Utah  
Thursday, September 25, 2008

The House was called to order by Speaker Curtis at 9:00 a.m.

Prayer and Pledge of Allegiance by Representative Brad King.

On motion of Representative D. Clark, the House voted to continue with the same organization for the 2008 Second Special Session of the 57th Legislature as set up and constituted during the 2008 General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

Speaker Curtis appointed Sandy D. Tenney as Chief Clerk.

The Chief Clerk read the following:

**PROCLAMATION**

WHEREAS, since the adjournment of the 2008 General Session of the Fifty–Seventh Legislature of the State of Utah, matters have arisen that require immediate legislative attention; and

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

NOW, THEREFORE, I, Jon M. Huntsman, Jr., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty–Seventh Legislature of the State of Utah into a Second Special Session at the State Capitol Complex, in Salt Lake City, Utah, on the 25th day of September, 2008, at 9:00 a.m., for the following purposes:

1. To make adjustments to the FY2009 budget to conform with the most recent revenue estimates and to make amendments to statutes necessary to implement those budget adjustments.

2. To consider amending state and local sales and use tax provisions to address the transactions eligible for exemption as aircraft parts and equipment and to require the exemption to be claimed by refund under certain circumstances.

3. To consider legislation allowing the State Board of Education to exempt a school district or charter school from testing requirements under the Utah Performance Assessment System for Students (U-PASS).

4. To consider issuance of general obligation bonds for capital facilities and transportation projects.

IN TESTIMONY WHEREOF,  
I have hereunto set my hand and  
caused to be affixed the Great  
Seal of the State of Utah. Done  
at the Capitol Complex in Salt  
Lake City, Utah, this 22nd day  
of September, 2008.

JON M. HUNTSMAN, JR.  
Governor  
GARY R. HERBERT  
Lieutenant Governor

Communication filed.

### **CERTIFICATION**

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued on the 22nd day of September, 2008, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Fifty-Seventh Legislature of the State of Utah into a Second Special Session at the Capitol Complex at Salt Lake City, Utah on the 25th day of September, 2008, at 9:00 a.m., for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State House of Representatives has not changed from that of the Certification of the 2008 General Session with the exception of the following named persons who have been duly appointed as members of the Legislature of the State of Utah, to serve in the House

of Representatives, filling seats vacated in their respective districts, to terms expiring on December 31, 2008: to wit:

FIFTH DISTRICT: County of Cache  
R. Curt Webb

TWELFTH DISTRICT: County of Weber  
Richard A. Greenwood

TWENTY-FOURTH DISTRICT: County of Salt Lake  
Rebecca Chavez-Houck

FORTY-FIFTH DISTRICT: County of Salt Lake  
Brian P. Monsen

SIXTY-SECOND DISTRICT: County of Utah  
Christopher N. Herrod

SIXTY-EIGHT DISTRICT: Counties of Millard, Juab, and Sanpete  
Bradley Winn

IN TESTIMONY WHEREOF,  
I have hereunto set my hand and  
affixed the Great Seal of the  
State of Utah, at Salt Lake City,  
this 20th day of August, 2007.

GARY R. HERBERT  
Lieutenant Governor

Communication filed.

### **MISCELLANEOUS BUSINESS**

Roll call showed all members present, except Representatives Kay McIff, Jennifer Seelig, Roger Barrus, and Steve Clark, excused.

On motion of Representative Urquhart, the House voted to adopt the same House Rules and Joint Rules for the 2008 Second Special Session as adopted in the 2008 General Session.

On motion of Representative King, the House voted to authorize the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform him that the Legislature is organized and ready to do business.

The Speaker appointed Representatives Glenn Donnelson, Sylvia Andersen, and Roz McGee.

On motion of Representative Snow, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate to inform that Honorable Body that the House is organized and ready to do business.

The Speaker appointed Representatives Aaron Tilton, Paul Neuenschwander, and LuWanna Shurtliff.

On motion of Representative Urquhart, as allowed by the Utah Constitution and Joint Rules of the Legislature, the House voted to continue its practice of reading only the short title of bills and resolutions as they are introduced or considered on a House Calendar and not read the long title of the bills and resolutions unless a majority of the House directs the reading of the long title, short title, or both of any House or Senate bill or resolution.

Representative Tilton reported that his committee waited upon the Senate and informed them that the House is organized and ready to do business.

Representative Donnelson reported that his committee waited upon the Governor and informed him that the House is organized and ready to receive any communication he has to offer.

Senators Walker, Stowell, and Davis formally notified the House of Representatives that the Senate was organized and ready to do business.

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On motion of Representative D. Clark, and at 9:30 a.m., the House voted to adjourn until September 26, 2008, at 9:00 a.m.