

JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–FIFTH LEGISLATURE
2003 FIRST SPECIAL SESSION

Commencing May 21, 2003 and
Ending June 18, 2003

PUBLISHED BY AUTHORITY
UTAH LEGISLATIVE PRINTING OFFICE

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2003 First Special Session of the Fifty–Fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Wednesday, May 21, 2003 and ending Wednesday, June 18, 2003.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE JOURNAL
of the
FIFTY-FIFTH LEGISLATURE
of the
STATE OF UTAH
FIRST SPECIAL SESSION
FIRST DAY
*** * ***

House Chamber
State Capitol
Salt Lake City, Utah
May 21, 2003

The House was called to order by Speaker Stephens at 12:00 p.m.

Roll call showed all members present except Representatives Anderson, Styler, and Duckworth, excused and Representatives Barrus and S. Clark, absent.

Pledge of Allegiance and prayer by Representative Brad Dee.

On motion of Representative Curtis, the House voted to continue with the same organization for the First Special Session of the 55th Legislature as set up and constituted during the 2003 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership, and the Minority Leadership.

Speaker Martin R. Stephens appointed Carole E. Peterson as Chief Clerk.

The Chief Clerk read the following:

CERTIFICATE

I, OLENE S. WALKER, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of May 15th, 2003, and signed by Governor Michael O. Leavitt, is a true and correct copy of the original Proclamation calling the Fifty-fifth Legislature of the State of Utah into a Special Session at the State Capitol at Salt Lake City, Utah, on the 21st day of May, 2003, at 12:00 noon, for the purposes named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State House of Representatives has not changed from that of the 2003 General Session, except that Craig Frank was appointed by the Governor on May 19th, 2003, to fill the vacancy in House District Fifty–seven, due to the resignation of Representative Brad Winn.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 19th day of
May, 2003.

OLENE S. WALKER
Lieutenant Governor

Communication filed.

PROCLAMATION

WHEREAS, since the adjournment of the 2003 General Session of the Fifty–fifth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, MICHAEL O. LEAVITT, 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–fifth Legislature of the State of Utah into a Special Session at the State Capitol at Salt Lake City, Utah, on the 21st day of May, 2003, at 12:00 noon, for the following purposes:

1. to consider amendments to Utah Code Title 63B, Chapter 1a, Master General Obligation Bond Act;
2. and to consider such other measures as may be brought to the attention of the Legislature by supplemental communication from the Governor before or during the Special Session hereby called.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 15th day of
May, 2003.

MICHAEL O. LEAVITT
Governor

Communication filed.

SUPPLEMENTAL PROCLAMATION

PURSUANT to Item 2 of the Proclamation issued May 15, 2003, calling the Legislature into special session, I add the following item to the agenda for the special session:

1. To consider authorizing the transfer of money between funding sources at the end of the fiscal year to address any end-of-year imbalance.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 19th day of
May, 2003, at 10:15 a.m.

MICHAEL O. LEAVITT
Governor

Communication filed.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, the House voted to adopt the same House Rules and Joint Rules for the 1st Special Session of the 55th Legislature as were adopted for the Annual General Session of 2003.

On motion of Representative Goodfellow, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House is organized and ready to do business. The Speaker appointed Representatives Hutchings, Kiser, and Biskupski.

On motion of Representative Alexander, 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 His Excellency that the Legislature is organized and ready to receive any communication or message he may have to offer. The Speaker appointed Representatives Mascaro, Pace, and Hughes.

INTRODUCTION OF BILL

AMENDMENTS TO MASTER BOND ACT

H.B. 1001

Ron Bigelow

THIS ACT MODIFIES THE MASTER BOND ACT BY AMENDING PROVISIONS GOVERNING THE MATURITY DATES OF BONDS. THIS ACT TAKES EFFECT IMMEDIATELY, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **H.B. 1001** read the second time by short title and placed on the Third Reading Calendar.

Representative Hutchings reported that his committee had notified the Senate that the House of Representatives was organized and ready to do business.

Representative Mascaro reported that his committee had waited upon the Governor and informed him that the House of Representatives was organized and ready to do business.

Senators Stephenson, Eastman, and Hale formally notified the House that the Senate was organized and ready to do business.

On motion of Representative Curtis, the House voted to recess until 1:15 p.m.

The Speaker called the House to order at 1:25 p.m.

THIRD READING CALENDAR

H.B. 1001, AMENDMENTS TO MASTER BOND ACT, read the third time by short title and placed on its final passage.

H.B. 1001 then passed on the following roll call:

Yeas, 61; Nays, 8; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Adams | Alexander | S. Allen | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Curtis | Dee |
| Dillree | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Seitz | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Voting in the negative were: Representatives

| | | | |
|------------|--------|-----------|---------|
| Agard | Dayton | Donnelson | Hughes |
| B. Johnson | Morley | Peterson | Philpot |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|----------|---------|
| Anderson | Barrus | S. Clark | Daniels |
| Duckworth | Styler | | |

H.B. 1001 transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Governor Leavitt concerning the Workers' Compensation Fund. Representatives from Deloitte and Touche and the National Council on Compensation Insurance introduced themselves.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

May 21, 2003

The Senate passed, **H.B. 1001**, AMENDMENTS TO MASTER BOND ACT, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communication filed. **H.B. 1001** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the Speaker was authorized to appoint a committee to wait upon the Senate and inform that Honorable Body that the House of Representatives is prepared to adjourn until June 18, 2003. The Speaker appointed Representatives Becker, Buffmire, and Morgan.

Senator Knudson notified the House that the Senate is ready to adjourn for more than three days.

On motion of Representative Curtis, the House voted to adjourn, with the consent of the Senate, until June 18, 2003 at 12:00 noon.

TWENTY-NINTH DAY

* * *

The House was called to order by Speaker Stephens at 12:17 p.m.

Roll call showed all members present except Representatives Kiser, Seitz, Dayton, Peterson, Hendrickson, and Pace, excused and Representatives Harper, Bourdeaux, and Dunnigan, absent.

Pledge of Allegiance and prayer by Representative Doug Aagard.

On motion of Representative Curtis, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House has completed its business and is ready to adjourn sine die. The Speaker appointed Representatives Glenn Donnelson, Ann Hardy, and Patricia Jones.

On motion of Representative Goodfellow, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor to inform him that the Legislature had completed its business and was prepared to adjourn sine die. The Speaker appointed Representatives Brad Dee, Sheryl Allen, and Roz McGee.

On motion of Representative Curtis, the House voted to adjourn the First Special Session of the 55th Legislature of the State of Utah sine die at 12:40 p.m.

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HOUSE BILLS

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H.B. 1001 — AMENDMENTS TO MASTER BOND ACT (*R. Bigelow*)

| | |
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| Read the first time by short title and referred to Rules Committee | 8 |
| Read the second time | 8 |
| Read the third time | 8 |
| Transmitted to the Senate | 9 |
| Signed by the Speaker and returned to the Senate | 10 |

JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–FIFTH LEGISLATURE
2003 SECOND SPECIAL SESSION

Commencing and
Ending November 19, 2003

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2003 Second Special Session of the Fifty–Fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing and ending Wednesday, November 19, 2003.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE JOURNAL
of the
FIFTY-FIFTH LEGISLATURE
of the
STATE OF UTAH

SECOND SPECIAL SESSION

House Chamber
State Capitol
Salt Lake City, Utah
November 19, 2003

The House was called to order by Speaker Stephens at 2:20 p.m.

Pledge of Allegiance and prayer by Representative R. Curt Webb.

On motion of Representative Greg Curtis, the House voted to continue with the same organization for the Second Special Session of the 55th Legislature as set up and constituted during the 2003 Annual Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership, and Minority Leadership

Speaker Stephens appointed Carole E. Peterson as Chief Clerk.

The Chief Clerk then read the following:

CERTIFICATE

I, GAYLE F. McKEACHNIE, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of November 14th, 2003, and signed by Governor Olene S. Walker, is a true and correct copy of the original Proclamation calling the Fifty-fifth Legislature of the State of Utah into a Special Session at the State Capitol at Salt Lake City, Utah, on the 19th day of November, 2003, at 2:00 p.m., for the purposes named in the Proclamation.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done

at the State Capitol in Salt Lake City, Utah, this 14th day of November, 2003.

GAYLE F. McKEACHNIE,
Lieutenant Governor

Report filed.

PROCLAMATION

WHEREAS, since the adjournment of the 2003 General Session of the Fifty-Fifth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, Olene S. Walker, 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-Fifth Legislature of the State of Utah into a Special Session at the State Capitol at Salt Lake City, Utah, on the 19th day of November, 2003, at 2:00 p.m., for the following purposes:

1. to consider changes to the election law allowing county clerks greater flexibility in establishing the size of voter precincts and to consider lowering the age of poll workers to 17 to allow a greater number of high school seniors to participate;

2. to consider amendments to H.B. 371, Court Security Fee, from the 2003 General Session;

3. to consider amendments to H.B. 299, Trust Law Amendments, from the 2003 General Session;

4. to consider amendments to H.B. 240, Venture Capital Enhancement Act, from the 2003 General Session;

5. to consider amendments to S.B. 66, Alcoholic Beverage Enforcement and Treatment, from the 2003 General Session;

6. to consider amendments to S. B. 154, Public Education Amendments, from the 2003 General Session, regarding the dates for nomination and recruitment of candidates for the Utah State Board of Education;

7. to consider amendments to S.B. 72, Amendments to Special Districts and Local Districts for Expanded Fire Protection Services, from the 2003 General Session, to allow the initiation of a fire service district by a county;

8. for the Senate to advise and consent to appointments made by the Governor; and

9. to consider such other measures as may be brought to the attention of the Legislature by supplemental communication from the Governor before or during the Special Session hereby called.

IN WITNESS WHEREOF, I
have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 14th day of
November, 2003.

OLENE S. WALKER
Governor

GAYLE F. MCKEACHNIE
Lieutenant Governor

Report filed.

SUPPLEMENTAL PROCLAMATION

PURSUANT to item 9 of the proclamation issued November 14, 2003, calling the Legislature into a special session, I add the following item to the agenda:

1. to consider changes to the Revenue and Taxation Code relating to confidentiality of commercial property tax information.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 17th day of November, 2003.

OLENE S. WALKER
Governor

GAYLE F. MCKEACHNIE
Lieutenant Governor

Report filed.

Roll call showed all members present except Representative Duane Bourdeaux, excused.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, the House voted to adopt the same House Rules and Joint Rules for the Second Special Session of the 55th Legislature as adopted in the Annual General Session of 2003.

On motion of Representative Goodfellow, 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 Thompson, Peterson, and Litvack.

Senators Blackham, Walker, and R. Allen formally notified the House of Representatives that the Senate was organized and ready to do business.

Representative Thompson reported that his committee had waited upon the Senate and notified them that the House of Representatives was organized and ready to do business.

On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor and inform her that the Legislature is organized and ready to receive any communication or message she may have to offer. The Speaker appointed Representatives Cox, Love, and Gowans.

Representative Cox reported that his committee with a like committee from the Senate had waited upon the Governor and informed her that the Legislature was organized and ready to receive any communication from her.

On motion of Representative Dillree, under suspension of the rules, the House voted to suspend the reading of the formal titles of all House and Senate bills, and House and Senate Resolutions.

INTRODUCTION OF BILLS

ELECTION LAW AMENDMENTS

H.B. 2001

Lorraine T. Pace

THIS BILL AMENDS PROVISIONS GOVERNING VOTING PRECINCTS AND ELECTION JUDGES, read the first time by short title.

COURT SECURITY FUND AMENDMENTS

H.B. 2002

David L. Hogue

THIS BILL CORRECTS A CROSS-REFERENCE THAT WAS INADVERTENTLY OMITTED FROM THIS SECTION DURING THE 2003 GENERAL SESSION, read the first time by short title.

TRUST LAW AMENDMENTS

H.B. 2003

David Clark

THIS BILL MAKES CHANGES IN LEGISLATION PASSED DURING THE 2003 GENERAL SESSION THAT ALLOWED FOR THE ADMINISTRATION OF TRUSTS CREATED OUTSIDE UTAH BY TRUSTEES WITHIN UTAH, AND PROVIDED FAVORABLE TAX PROVISIONS, read the first time by short title.

UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS

H.B. 2004

Peggy Wallace

THIS BILL MODIFIES THE UTAH VENTURE CAPITAL ENHANCEMENT ACT, read the first time by short title.

CANDIDATES FOR STATE SCHOOL BOARD MEMBERSHIP

H.B. 2005

Karen W. Morgan

THIS BILL MODIFIES THE PROVISIONS REGARDING THE NOMINATING AND RECRUITING COMMITTEE THAT SELECTS CANDIDATES FOR MEMBERSHIP ON THE STATE BOARD OF EDUCATION, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **H.B. 2001**, **H.B. 2002**, **H.B. 2003**, and **H.B. 2004**, read the second time by short title and placed on the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 2001, ELECTION LAW AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Curtis proposed the following amendment:

1. Page 1, Lines 12 and 13:
Delete lines 12 and 13.
2. Page 2, Line 56:
Reinstate “[~~in regular primary elections only,~~]”

Representative Curtis’ motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 1, Lines 14 and 15:
Delete lines 14 and 15.
2. Page 3, Line 86:
From this point in the bill reinstate all deleted language to the end of the bill on page 7.

On motion of Representative Peterson, the House voted to circle **H.B. 2001**.

MISCELLANEOUS BUSINESS

The motion of Representative Morgan, to consider **H.B. 2005**, read the second time by short title and placed at the bottom of the Third Reading Calendar failed on the following roll call vote:

Yeas, 34; Nays, 39; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|----------|---------|
| S. Allen | Anderson | Becker | Bennion |
| Biskupski | Bowman | Buffmire | Bush |

| | | | |
|--------------|-------------|-------------|------------|
| Buttars | Christensen | Daniels | Dayton |
| Duckworth | Dunnigan | Ferrin | Goodfellow |
| Gowans | Hansen | Hendrickson | Holdaway |
| E. Hutchings | Jones | King | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Philpot |
| Shurtliff | Thompson | Webb | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|--------------|----------|
| Agard | Adams | Alexander | Barrus |
| Bigelow | Bird | Bryson | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Dillree | Donnelson | Dougall |
| Ferry | Frank | Hardy | Harper |
| Hogue | Hughes | Johnson, B. | Kiser |
| Last | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Peterson |
| Seitz | G. Snow | Styler | Ure |
| Urquhart | Wallace | Stephens, M. | |

Absent or not voting were: Representatives

| | |
|-----------|----------|
| Bourdeaux | Thompson |
|-----------|----------|

THIRD READING CALENDAR

H.B. 2002, COURT SECURITY FUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 2002 then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |

| | | | |
|----------|-------------|--------------|------------|
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative
Bourdeaux

H.B. 2002 transmitted to the Senate for its consideration.

###

H.B. 2003, TRUST LAW AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

- Page 3, Line 73:
After “Subsection (1)(a),” delete “the following” and insert “a creditor or other claimant of the settlor”
- Page 3, Line 75:
After “trust” delete the “:” and insert a period.
- Page 3, Lines 76–79:
Delete lines 76 through 79.
- Page 3, Line 80:
After “purposes of” delete “Subsections (2)(a)(i) and (ii)” and insert “Subsection (2)(a)”
- Page 3, Line 87:
After line 87, insert:
“(i) the claim is a judgment, order, decree, or other legally enforceable decision or ruling resulting from a judicial, arbitration, mediation, or administrative proceeding commenced prior to or within three years after the trust is created.”
- Page 3, Line 88:
Delete “(i)” and insert “(ii)”

7. Page 4, Line 91:
Delete “(ii)” and insert “(iii)”
8. Page 4, Line 95:
Delete “(iii)” and insert “(iv)”
9. Page 4, Line 96:
After line 96, insert:
“(v) the claim is for a payment owed by a settlor under a child support judgment or order;”
10. Page 4, Lines 97–98:
Delete lines 97 and 98
11. Page 4, Line 99:
Delete “(v)” and insert “(vi)”
12. Page 4, Lines 100–116:
Delete lines 100 through 116, and insert:
“(vii) the claim is for recovery of public assistance received by the settlor allowed under Title 26, Chapter 19, Medical Benefits Recovery Act;
(viii) the claim is a tax or other amount owed by the settlor to any governmental entity;
(ix) the claim is by a spouse or former spouse of the settlor on account of an agreement or order for the payment of support or alimony or for a division or distribution of property;
(x)(A) the settlor transferred assets into the trust that:
(1) were listed in a written representation of the settlor’s assets given to a claimant to induce the claimant to enter into a transaction or agreement with the settlor, or
(2) were transferred from the settlor’s control in breach of any written agreement, covenant, or security interest between the settlor and the claimant; or
(B) without limiting the claimant’s right to pursue assets not held by the trust, a claimant described in Subsection (x)(A) may only foreclose or execute upon an asset in the trust listed in the written representation described in subsection (x)(A)(1) or transferred in breach of a written agreement, covenant, or security interest as provided in subsection (x)(A)(2) to the extent of the settlor’s interest in that asset when it was transferred to the trust or the equivalent value of that asset at the time of foreclosure or execution if the original asset was sold or traded by the trust; or”

(xi) the claim is a judgment, award, order, sentence, fine, penalty, or other determination of liability of the settlor for conduct of the settlor constituting fraud, intentional infliction of harm, or a crime.

(d) The statute of limitations for actions to satisfy a claim or liability out of the settlor’s beneficial interest in or transfer into trust under Subsections (2)(c)(i), (ii), (v), (vii), (viii), (ix), (x), and (xi) is the statute of limitations applicable to the underlying action specified in the subsection.”

13. Page 5, Lines 131–138:

Delete lines 131 through 138

Renumber the remaining subsections accordingly.

14. Page 5, Line 147:

After “Subsection” delete “(5)” and insert “(4)”

15. Page 34, Line 1039:

After “agreement of the” delete “qualified”

Representative Ferry’s motion to amend passed on a voice vote.

###

Representative Christensen proposed the following amendment:

16. Refer to Item 5 above and make the following changes. Delete “three years” and insert “one year” and after “created” insert “and provided the requirements of the Fraudulent Transfer Act are otherwise met (Title 25, Chapter 6)”

Representative Christensen’s motion to amend failed on a voice vote.

H.B. 2003, as amended, then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were:

Representatives

| | | | |
|----------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to saunter for 5 minutes.

Speaker Stephens called the House to order at 4:25 p.m.

THIRD READING CALENDAR

H.B. 2004, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 2004 then passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Alexander | Anderson | Barrus |
| Becker | Bennion | Bird | Biskupski |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|-----------|
| Adams | S. Allen | Bigelow | Bourdeaux |
| Bowman | D. Clark | Hughes | Lockhart |
| McCartney | Morley | Peterson | Ure |

H.B. 2004 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Pace, the House voted to uncircle **H.B. 2001**.

H.B. 2001, ELECTION LAW AMENDMENTS, was before the House on its final passage.

Representative Peterson proposed the following amendment:

1. Page 1, Line 11:
After line 11 insert:
“allows county clerks in fourth, fifth, and sixth class counties to combine voting precincts in all elections when the ballots for each precinct are identical;”
2. Page 2, Line 55:
After “(5)” insert “(a)”
3. Page 2, Line 58:
After line 58 insert:
“(b) Notwithstanding Subsection (5) (a), the county legislative body in a fourth, fifth, or sixth class county may, in any election, combine voting precincts and use one set of election judges for the combined precincts if the ballots for each of the combined precincts are identical.”

Representative Peterson’s motion to amend passed on a voice vote.

###

Representative Ferrin proposed the following amendment:

4. Page 1, Line 11:
Delete line 11
5. Page 2, Lines 38 and 40:
Delete “2,000” and reinstate “[1,000]”
6. Page 2, Line 55:
Delete “(3)” and reinstate “[(4)]”

Representative Ferrin’s motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 1, Line 14:
Delete Line 14

2. Page 1, Line 15:
Delete “election day;”
3. Page 3, Line 86:
After “old” reinstate “who will be 18 years old by the date of the next regular general election”
4. Page 4, Line 90:
After “old” reinstate “who will be 18 years old by the date of the next regular general election”
5. Page 4, Line 92:
After “old” reinstate “who will be 18 years old by the date”
6. Page 4, Line 93:
Reinstate “of the next regular general election”
7. Page 4, Line 96:
After “old” reinstate “who will be 18 years old by the date of the next regular general election”
8. Page 4, Line 102:
After “old” reinstate “who will be 18 years old by the date of the next regular general election”
9. Page 6, Lines 155–182:
Delete lines 155–182
10. Page 7, Lines 183–194:
Delete lines 183–194 and renumber accordingly.
11. Page 1, Line 25:
Delete line 25.

Representative Hansen’s motion to amend passed on the following roll call:

Yeas, 40; Nays, 30; Absent or not voting, 5.

| Voting in the affirmative were: | | | | Representatives |
|--|-------------|------------|---------|-----------------|
| Adams | Alexander | Anderson | Barrus | |
| Bird | Biskupski | Bryson | Bush | |
| Buttars | Christensen | D. Clark | Daniels | |
| Dayton | Dillree | Donnelson | Dougall | |
| Duckworth | Dunnigan | Goodfellow | Gowans | |

| | | | |
|-----------|-----------|-------------|-------------|
| Hansen | Hardy | Hendrickson | Hughes |
| Jones | Kiser | Lawrence | Lockhart |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Newbold | Peterson | Philpot |
| Shurtliff | Styler | Urquhart | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------------|------------|----------|----------|
| Agard | S. Allen | Becker | Bennion |
| Bigelow | Bowman | Buffmire | Buxton |
| S. Clark | D. Cox | Dee | Ferry |
| Frank | Harper | Hogue | Holdaway |
| E. Hutchings | B. Johnson | King | Last |
| Litvack | Love | McGee | Murray |
| Noel | Pace | Seitz | Thompson |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|---------|
| Bourdeaux | Curtis | Ferrin | G. Snow |
| Ure | | | |

H.B. 2001, as amended, then passed on the following roll call:

Yeas, 68; Nays, 3; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives
Harper Kiser Philpot

Absent or not voting were: Representatives
Biskupski Bourdeaux G. Snow Ure

H.B. 2001, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 2001, ALCOHOLIC BEVERAGE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 2001 then passed on the following roll call:

Yeas, 67; Nays, 4; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives
Bennion Hughes Morley Philpot

Absent or not voting were: Representatives

Bourdeaux Hansen Pace Thompson

S.B. 2001 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 2003, AMENDMENTS TO COUNTY SERVICE AREA FOR EXTENDED FIRE PROTECTION, read the third time by short title and placed on its final passage.

S.B. 2003 then passed on the following roll call:

Yeas, 58; Nays, 15; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hogue |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Moss | Murray | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|---------|-------------|
| Buffmire | Christensen | Daniels | Donnelson |
| Dougall | Dunnigan | Gowans | Hendrickson |
| Hughes | Litvack | Morgan | Morley |
| Newbold | Shurtliff | Ure | |

Absent or not voting were: Representatives

Bourdeaux Thompson

S.B. 2003 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 2004, PROPERTY TAX – CONFIDENTIALITY OF CERTAIN INFORMATION, read the third time by short title and placed on its final passage.

S.B. 2004 then passed on the following roll call:

Yeas, 67; Nays, 7; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|------|---------|
| Becker | Biskupski | King | Litvack |
| McCartney | McGee | Moss | |

Absent or not voting was: Representative
Bourdeaux

S.B. 2004 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess for 5 minutes.

Speaker Stephens called the House to order at 6:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: November 19, 2003
The Senate passed, **H.B. 2002**, COURT SECURITY FUND AMENDMENTS, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 2004**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Representative P. Wallace, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 2002** and **H.B. 2004** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: November 19, 2003
The Senate passed, as amended, **H.B. 2003**, TRUST LAW AMENDMENTS, by Representative D. Clark, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Clark, the House voted to concur in the Senate amendments to **H.B. 2003**.

H.B. 2003, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

| | | | |
|--|-----------------|-----------|----------|
| Voting in the affirmative were: | | | |
| | Representatives | | |
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|-------------|-------------|------------|--------------|
| Christensen | D. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|----------|---------|
| Becker | Bourdeaux | S. Clark | Daniels |
| Shurtliff | | | |

H.B. 2003, as amended by the Senate, transmitted to the Senate for signature of the President.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, 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 ready to adjourn sine die. The Speaker appointed Representatives Wallace, Lawrence, and McGee.

On motion of Representative Curtis, 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 her that the Legislature is ready to adjourn sine die. The Speaker appointed Representatives Dillree, Philpot, and Moss.

Representative Wallace reported that her committee had waited upon the Senate and informed them that the House was prepared to adjourn sine die.

Representative Dillree reported that her committee had met with a like committee from the Senate and informed the Governor that the Legislature was prepared to adjourn sine die.

Senators Jenkins, Hatch, and Davis reported that the Senate was prepared to adjourn sine die.

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JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–FIFTH LEGISLATURE
2004 GENERAL SESSION

Commencing Monday, January 19, 2004
and Ending Wednesday, March 3, 2004

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2004 General Session of the Fifty–Fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Monday, January 19, 2004 and ending on Wednesday, March 3, 2004.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE JOURNAL
of the
FIFTY–FIFTH LEGISLATURE
of the
STATE OF UTAH

GENERAL SESSION

FIRST DAY

* * *

MORNING SESSION

House Chamber
State Capitol
Salt Lake City, Utah
January 19, 2004

The House was called to order by Speaker Stephens at 10:00 a.m.

Prayer by Elder Ronald A. Rasband, First Quorum of Seventies, The Church of Jesus Christ of Latter–day Saints.

PRAYER BY ELDER RONALD A. RASBAND

Our dear Father in Heaven, we thank Thee this day, dear Father, for this great state of Utah; for its natural resources and beauty, all of thy wondrous and glorious creations. We thank Thee for the citizens of this state; and for our multi–cultural and ethnic diversity; for our families and especially our children, and may we all guard and protect their future. We ask Thy blessing upon those in our state who are suffering, hungry and poor; a further blessing upon the disabled, the handicapped and the elderly, that their interests may be considered in this hall as well. We thank thee, dear Father, for those in our state who serve in any capacity in the military of our nation. Particularly we pray for those who may be in harms way at this time; we pray Thou will bless them with safety and protection and comfort their families in their absence. We thank Thee, Heavenly Father, for a wise and dedicated governor, and all of the other elected and appointed officials of our state government. We particularly this day, thank Thee for these elected delegates and these representatives, for their commitment to better our lives and guard our freedoms, and consider and enact fair and balanced laws for our benefit. We now ask a blessing upon this legislative session of the state of Utah, that all will use

wisdom and experience of their office to focus on the issues that really matter most in the lives of the people of this state. We do still trust in Thee, oh God, and ask Thy blessing upon these men and women, and upon their actions during this session. In the name of Jesus Christ, Amen.

Posting of Colors by Scout Troop 1490, Draper, Utah

Pledge of Allegiance by Terry Schow, Director of Utah Division of Veterans Affairs

National Anthem and special musical number performed by Weber State University Chamber Choir, directed by Dr. Michael Huff.

REMARKS BY SPEAKER MARTIN R. STEPHENS

It is my pleasure to have the opportunity to take a few minutes as we begin this legislative session. It was 20 years ago this month that I began my elected service as a newly elected member of the Farr West City council. As I begin my last legislative session and perhaps my last year in elected office, I cannot help but reflect on how things have changed for our family.

Most of my family cannot remember a time when their dad was not involved politically. Two of our six children were born since I first held elected office and our oldest was only 6. Today, not only do Carole and I have only the two youngest at home with Daniel, our youngest, graduating from high school in a few months we also have 6 grandchildren.

As an aside, I might mention that apparently our daughter's biological clocks are even coordinated with the legislative schedule. Last year about this time both of our daughters were expecting. Melanie had her first, a son, the day before the session started, and Jen, our oldest daughter, had her third, a daughter, the day after the session ended. I appreciate their willingness to plan nine months ahead so that things would be so well coordinated. . .

Today, is my last opportunity to formally address the members of the House in these historic chambers. I would like to make a few brief remarks about a subject that I think deserves more frequent and substantive consideration as we deliberate the great issues of the day here in these chambers.

I would like to talk about Freedom and Liberty. Freedom and Liberty are the primary issues of interest in all of our founding documents.

The preamble to the Constitution of the United States lists six reasons the constitution was written. It goes something like this;

“We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and to secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.”

Again the sixth reason states; “To secure the blessings of liberty to ourselves and our posterity.....”

The Declaration of Independence says this in part; “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. —That to secure these rights, Governments are instituted among Men

Again... “to secure these rights, i.e. Life, Liberty and the pursuit of Happiness, Governments are instituted among Men.”

The preamble to our state constitution also contains similar language.

I quote; “Grateful to Almighty God for life and liberty, we, the people of Utah, in order to secure and perpetuate the principles of free government, do ordain and establish this CONSTITUTION.” (Preamble to the Utah Constitution)

So what does it mean to be Free? What does it mean to “secure the blessings of Liberty?” Who among us will ever forget one of the final scenes in the movie Braveheart where Sir William Wallace gives his life for his native land of Scotland. As he is being executed for leading the fight for the freedom of his people he screams out with his last ounce of energy the word “FREEDOM”.... It was what he lived for and it was what he died for.

Just as Sir William Wallace gave his life for his people, our forefathers likewise gave everything they had, even to their own lives to secure to us the blessings of freedom which we now enjoy.

How important was liberty to the founding fathers? In 1775 Patrick Henry put it this way; “Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it Almighty God! I know not what course others may take, but as for me, give me liberty or give me death!”

We know from a review of the Declaration of Independence that Patrick Henry was not talking about slavery as we think of it today, but of a general over-regulation of society by the British Crown that they considered chains and slavery. This over-regulation led to the Boston Tea Party and in time to the Declaration of Independence.

John Adams in a letter to his wife, Abigail, also warned of governmental encroachment on our liberties. He said; "Liberty once lost is lost forever." (John Adams, Letter to Abigail Adams, July 17, 1775)

Thomas Paine explained the importance of not just protecting your own liberty, but also the liberty of your fellowmen if ultimately your liberty is to be secure. He said this; "He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself." (Thomas Paine, Dissertation on the First Principles of Government, Dec. 23, 1791)

Again, in 1776 Thomas Paine talked about the high cost of Freedom. He said: "These are the times that try men's souls; the summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny like hell is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap we esteem too lightly; 'tis dearness only that gives everything its value. Heaven knows how to put a proper price on its goods; and it would be strange indeed, if so celestial an article as FREEDOM should not be highly rated."

After considerable thought and consideration I believe there are three ways that these freedoms and liberties which have been bought for us at so high a price can be lost. Let me suggest the following:

First, government itself can simply take these liberties and freedoms away if leaders are not careful and the people allow it. Let me share two quotes which I think explain what I mean.

James Madison said; "I believe there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power, than by violent and sudden usurpations... This danger ought to be wisely guarded against."

And President Andrew Jackson in his final public address said; "It is well known that there have always been those amongst us who wish to enlarge the powers of the General Government; and experience would seem to indicate that there is a tendency on the part of this government to overstep the boundaries marked out for it by the Constitution. Every attempt to exercise power beyond these limits should be promptly and firmly opposed..." (President Andrew Jackson, Valedictory, March 4, 1837)

We must recognize that through the legislative branch of government through the passage of laws, through the executive branch of government through the

implementation of administrative rules, and through the judicial branch of government through unjust rulings that become common law, government has the power to take people's freedoms and liberties away from them. As has been mentioned previously, history has shown that "there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power, than by violent and sudden usurpations"

We must be very careful in our deliberations and in our stewardship of the freedoms of the people to be protectors of individual freedoms and liberties rather than takers of those freedoms and liberties.

The second way freedom and liberties can be lost is by a lack of individual responsibility. There is a direct tie between freedom and individual responsibility. We cannot have freedom while asking government to provide for us what we can and should provide for ourselves. In order for government to provide these wants for us they must take more and more of our resources and freedoms in order to provide these wants. We can be free and responsible or we can give up some freedoms and have government provide us with security. We cannot have both freedom and government provided security. We must choose.

Let me share a few quotes to illustrate what I mean.

Abraham Lincoln said; "This love of liberty which God has planted in us constitutes the bulwark of our liberty and independence. . . Our defense is in the spirit which prizes liberty as the heritage of all men, in all lands, everywhere. Destroy this spirit, and we have planted the seed of despotism at our very doors."

You notice that he even put liberty and independence in the same sentence. The two are inexorably tied together.

Nearly every one of the founding fathers understood that you cannot have freedom, you cannot have liberty, without individual responsibility.

Benjamin Franklin explained that many times people must choose temporary safety provided by government or liberty, but they cannot have both. He said this; "They that give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety."

A noted religious leader said; "People are bargaining their liberty for a chimera of equality and security, not realizing that the more power you give the central government, the more you curtail your individual freedom." David O. McKay

And Thomas Jefferson said; "If you can prevent the government from wasting the labors of the people under pretense of caring for them, they will be happy."

There are times in our lives when we all need help. However, today we seem to look at outside assistance first instead of trying to work things out for ourselves. It is much harder to be individually responsible rather than immediately turning to others for help. It requires personal sacrifice, hard work, thrift, and prudence.

However, if we eliminate the penalty for slothfulness, what reward is there for hard work? If we eliminate the penalty for overspending, what reward is there for thrift? If we eliminate the penalty for reckless behavior what reward is there for prudence?

Our society and system of government is rooted in morality and individual responsibility. If we weaken these roots, the tree holding our freedoms cannot stand.

To continue as a free society we must understand that there of necessity must be consequences to our actions. Without these consequences there are no incentives for morality and personal responsibility and our great country with its constitutionally guaranteed freedoms will not stand.

If we desire freedom and liberty, if we desire success in business, if we desire success in life, we must be individually responsible. If we fail in business – we are responsible. If we fail in a relationship – we are responsible. If we fail to prepare in times of plenty for times of want – we are responsible.

A significant part of being responsible and free is being willing to accept the consequences of our decisions.

In the business world if we do not work hard or complete assignments in a way that adds value to the organization, we need to understand that we may soon lose our employment, or in times of economic downturn we may be the first to be let go from our jobs. It is our responsibility to be good workers, to add value to the business, and to do our best.

In our personal lives if we fail to save for our future and choose instead to spend more today – we must realize that we may have to suffer the consequences of a meager income in our later years. It is only by being individually responsible and knowing that we will have to suffer the consequences of our decisions, that we will be motivated to choose wisely.

However, with that accountability comes the freedom to choose. We can have freedom and individual responsibility or we can give up some of our freedoms and have government provide us with security, but we cannot have governmental security and freedom. The two are mutually exclusive.

Eugene Holman puts it this way; “There is a price tag on human liberty. That price tag is the willingness to assume the responsibilities of being free men. Payment of this price is a personal matter with each of us. To let others carry the responsibilities of freedom and the work and worry that accompany them while we share in the benefits, may be a very human impulse, but it is likely to be fatal.”

The third and final way that freedoms and liberties can be lost is through a loss of morality in the people.

George Washington said this; “There is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness.”. He also said; “The foundation of our national policy will be laid in the pure and immutable principles of private morality.”

James Madison, the Father of the U.S. Constitution said; “We have staked the whole future of American civilization, not upon the power of government, far from it. We have staked the future of all of our political institutions upon the capacity of mankind for self-government; upon the capacity of each and all of us to govern ourselves, to control ourselves, to sustain according to the Ten Commandments of God.”

Samuel Adams added; “We may look up to armies for our defense, but virtue is our best security. It is not possible that any state should long remain free, where virtue is not supremely honored.” (Samuel Adams, Rediscovering the Ideas of Liberty, pg. xvi)

And finally Benjamin Franklin, I think explained it best when he said; “Only a virtuous people are capable of freedom. As nations become corrupt and vicious, they have more need of masters.” (Smyth, Writings of Benjamin Franklin, Vol. 9, pg. 569)

These “masters” Dr. Franklin is talking about are laws. More laws to protect the innocent from the corrupt. More laws mean less freedom and liberty. Our freedoms and liberties even our very system of government are wholly dependent on a moral people. A people without moral integrity cannot continue to have the freedoms and liberties secured by our founding fathers. Our founding fathers knew this and warned us against the danger.

Let me conclude this third point with a quote from President James E. Faust, a former member of this great body. He said; “There seems to be developing a new civil religion. The civil religion I refer to is a secular religion. It has no moral absolutes. It is non-denominational. It is non-theistic. It is politically focused. It is antagonistic to religion. It rejects the historic religious traditions of this nation.

It feels strange. If this trend continues, non-belief will be more honored than belief. While all beliefs must be protected, are atheism, agnosticism, cynicism, and moral relativism to be more safeguarded and valued than Christianity, Judaism, and the tenets of Islam which hold that there is a Supreme Being and that mortals are accountable to him? If so, this would, in my opinion, place this nation in great moral jeopardy. (James E. Faust, "A New Civil Religion", Pioneer Day Fireside, Ogden, Utah, 19 July, 1992)

In summary, the protection of freedom and the security of liberty to ourselves and our posterity was the goal and ambition of our founding fathers. It should also be our goal today. In order to protect these freedoms we must understand how they can be lost.

First, government itself can simply take these liberties and freedoms away if leaders are not careful and the people allow it.

Second, freedom and liberty can be lost by a lack of individual responsibility in the people of this great country.

And third, freedoms and liberties can be lost through an absence of morality in the people.

It is my hope that we will, as was so eloquently stated in the preamble to the Constitution, continue to; "secure the blessings of liberty to ourselves and our posterity." that we may enjoy the greatness of this Constitution which has been our inheritance. That is our charge.

I would like to conclude my remarks today with the final lines from Thomas Jefferson's second inaugural address which I hope will set the tone as we begin our deliberations during this legislative session.

He said in closing his remarks; "I shall need, too, the favor of that Being in whose hands we are, who led our fathers, as Israel of old, from their native land and planted them in a country flowing with all the necessaries and comforts of life; who has covered our infancy with His providence and our riper years with His wisdom and power, and to whose goodness I ask you to join in supplications with me that He will so enlighten the minds of your servants, guide their councils, and prosper their measures that whatsoever they do shall result in your good, and shall secure to you the peace, friendship, and approbation of all . . ." (Thomas Jefferson, Second Inaugural Address, March 4, 1805)

That we will be eternally vigilant against those who would try to diminish our freedoms and liberties whether intentionally or unintentionally through

ignorance; and that we may be beneficiaries of the wisdom, enlightenment, and guidance which President Jefferson describes is my humble prayer. Thank you.

* * *

Chief Clerk read the certificate of membership.

CERTIFICATE OF MEMBERSHIP

The Chief Clerk, Carole E. Peterson, read the following:

**CERTIFICATE OF MEMBERSHIP OF THE
2004 GENERAL SESSION
OF THE UTAH STATE HOUSE OF REPRESENTATIVES**

I, GAYLE F. McKEACHNIE, Lieutenant Governor of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday, November 5, 2002, the following named persons were chosen by the electors as members of the Legislature of the State of Utah to serve in the House of Representatives each for the term of two years, beginning January 1, 2003, to wit:

FIRST DISTRICT: Counties of Box Elder, Tooele, Eli H. Anderson

SECOND DISTRICT: County of Box Elder Ben C. Ferry
Cache

THIRD DISTRICT: County of Cache Craig W. Buttars

FOURTH DISTRICT: Counties of Cache, Rich Loraine T. Pace

FIFTH DISTRICT: County of Cache R. Curt Webb

SIXTH DISTRICT: County of Weber Martin R. Stephens

SEVENTH DISTRICT: County of Weber Glenn A. Donnelson

EIGHTH DISTRICT: County of Weber Joseph G. Murray

NINTH DISTRICT: County of Weber Neil A. Hansen

TENTH DISTRICT: County of Weber LaWanna "Lou" Shurtliff

ELEVENTH DISTRICT: Counties of Davis, Weber Brad Dee

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| TWELFTH DISTRICT: County of Weber | D. Gregg Buxton |
| THIRTEENTH DISTRICT: County of Davis | Dana C. Love |
| FOURTEENTH DISTRICT: County of Davis | Don E. Bush |
| FIFTEENTH DISTRICT: County of Davis | Douglas C. Aagard |
| SIXTEENTH DISTRICT: County of Davis | J. Stuart Adams |
| SEVENTEENTH DISTRICT: County of Davis | Marda Dillree |
| EIGHTEENTH DISTRICT: County of Davis | Roger E. Barrus |
| NINETEENTH DISTRICT: County of Davis | Sheryl L. Allen |
| TWENTIETH DISTRICT: Counties of Davis, Salt Lake | Ann W. Hardy |
| TWENTY-FIRST DISTRICT: County of Tooele | James R. Gowans |
| TWENTY-SECOND DISTRICT: County of Salt Lake | Carl W. Duckworth |
| TWENTY-THIRD DISTRICT: County of Salt Lake | Duane Bourdeaux |
| TWENTY-FOURTH DISTRICT: County of Salt Lake | Ralph Becker |
| TWENTY-FIFTH DISTRICT: Counties of Salt Lake, Summit | Scott Daniels |
| TWENTY-SIXTH DISTRICT: County of Salt Lake | David Litvack |
| TWENTY-SEVENTH DISTRICT: County of Utah | John Dougall |
| TWENTY-EIGHTH DISTRICT: County of Salt Lake | Roz McGee |
| TWENTY-NINTH DISTRICT: County of Salt Lake | Brent H. Goodfellow |
| THIRTIETH DISTRICT: County of Salt Lake | Jackie Biskupski |
| THIRTY-FIRST DISTRICT: County of Salt Lake | Ty McCartney |
| THIRTY-SECOND DISTRICT: County of Salt Lake | Ron Bigelow |
| THIRTY-THIRD DISTRICT: County of Salt Lake | Neal B. Hendrickson |

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| THIRTY-FOURTH DISTRICT: County of Salt Lake | Kory M. Holdaway |
| THIRTY-FIFTH DISTRICT: County of Salt Lake | Judy Ann Buffmire |
| THIRTY-SIXTH DISTRICT: County of Salt Lake | Susan Lawrence |
| THIRTY-SEVENTH DISTRICT: County of Salt Lake | Carol Spackman Moss |
| THIRTY-EIGHTH: County of Salt Lake | Eric Hutchings |
| THIRTY-NINTH DISTRICT: County of Salt Lake | Jim Dunnigan |
| FORTIETH DISTRICT: County of Salt Lake | Patricia W. Jones |
| FORTY-FIRST DISTRICT: County of Salt Lake | Todd E. Kiser |
| FORTY-SECOND DISTRICT: County of Salt Lake | Peggy Wallace |
| FORTY-THIRD DISTRICT: County of Salt Lake | Wayne A. Harper |
| FORTY-FOURTH DISTRICT: County of Salt Lake | Chad E. Bennion |
| FORTY-FIFTH DISTRICT: County of Salt Lake | J. Morgan Philpot |
| FORTY-SIXTH DISTRICT: County of Salt Lake | Karen W. Morgan |
| FORTY-SEVENTH DISTRICT: County of Salt Lake | Steven R. Mascaro |
| FORTY-EIGHTH DISTRICT: County of Salt Lake | LaVar Christensen |
| FORTY-NINTH DISTRICT: County of Salt Lake | Greg J. Curtis |
| FIFTIETH DISTRICT: County of Salt Lake | Merlynn T. Newbold |
| FIFTY-FIRST DISTRICT: County of Salt Lake | Gregory H. Hughes |
| FIFTY-SECOND DISTRICT: County of Salt Lake | David L. Hogue |
| FIFTY-THIRD DISTRICT: Counties of Daggett, Morgan, Rich, Summit, Wasatch | David Ure |
| FIFTY-FOURTH DISTRICT: Counties of Duchesne, Uintah, Wasatch | Gordon E. Snow |

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| FIFTY-FIFTH DISTRICT: Counties of Grand, Uintah | Jack A. Seitz |
| FIFTY-SIXTH DISTRICT: County of Utah | David N. Cox |
| FIFTY-SEVENTH DISTRICT: County of Utah | Craig Frank |
| FIFTY-EIGHTH DISTRICT: County of Utah | James A. Ferrin |
| FIFTY-NINTH DISTRICT: County of Utah | Mike Thompson |
| SIXTIETH DISTRICT: County of Utah | Katherine M. Bryson |
| SIXTY-FIRST DISTRICT: County of Utah | Margaret Dayton |
| SIXTY-SECOND DISTRICT: County of Utah | Jeff Alexander |
| SIXTY-THIRD DISTRICT: County of Utah | Stephen D. Clark |
| SIXTY-FOURTH DISTRICT: County of Utah | Rebecca Lockhart |
| SIXTY-FIFTH DISTRICT: County of Utah | Calvin G. Bird |
| SIXTY-SIXTH DISTRICT: County of Utah | Mike Morley |
| SIXTY-SEVENTH DISTRICT: Counties of Carbon, Juab, Sanpete, Utah | Darin G. Peterson |
| SIXTY-EIGHTH DISTRICT: Counties of Juab, Millard, Sanpete | Michael R. Styler |
| SIXTY-NINTH DISTRICT: Counties of Carbon, Emery Garfield, Grand, San Juan, Wayne | Brad King |
| SEVENTIETH DISTRICT: Counties of Emery, Sanpete, Sevier | Bradley T. Johnson |
| SEVENTY-FIRST DISTRICT: County of Washington | Brad Last |
| SEVENTY-SECOND DISTRICT: County of Iron | DeMar "Bud" Bowman |
| SEVENTY-THIRD DISTRICT: Counties of Beaver, Garfield, Kane, Piute, Sevier, Washington, Wayne | Michael E. Noel |

SEVENTY-FOURTH DISTRICT: County Washington

David Clark

SEVENTY-FIFTH DISTRICT: County of Washington

Stephen H. Urquhart

IN WITNESS WHEREOF, I
have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah at Salt
Lake City, this Sixteenth day of
January, 2004.

GAYLE F. McKEACHNIE
Lieutenant Governor

Communication filed.

Roll call showed all members present.

On motion of Representative Greg J. Curtis, the House voted to continue with the same organization for the 2004 Annual General Session as set up and constituted during the 2003 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

On motion of Representative Goodfellow, the House voted to print the prayer offered by Elder Ronald A. Rasband and the remarks by Martin R. Stephens in the House Journal.

On motion of Representative Dillree, the House voted to adopt the same House Rules and Joint Rules for the Annual General Session of 2004 as adopted in the Annual General Session of 2003.

On motion of Representative Alexander, 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.

Speaker Stephens appointed Representatives Douglas C. Aagard, D. Gregg Buxton, and Roz McGee.

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 her that the House is organized and ready to receive any communication or message she may have to offer.

Speaker Stephens appointed Representatives Roger E. Barrus, LaVar Christensen, and James R. Gowans.

Representative Aagard reported that the message has been delivered to the Senate that the House is organized and ready to do business.

Senators Thomas, Hale, and Bell formally notified the House that the Senate was organized and ready to do business.

Representative Barrus reported that the Joint Committee has waited upon the Governor and she will address the Legislature on January 22, 2004, at 6:00 p.m.

On motion of Representative Styler, the House voted to allow legislators the opportunity to sign any prefiled bills, if permission is granted to do so by the chief sponsor of the legislation.

On motion of Representative Curtis, as allowed by the Utah Constitution and legislative rules, 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 or Senate calendar and not read the long title of the bills and resolutions unless any Representative requests the reading of the long title of any House or Senate bill or resolution.

INTRODUCTION OF BILLS

H.B. 4, Technical Amendment – Polling Place Supplies (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 5, Publication of Resolution or Notice (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 6, Repeal of Utah Interstate Commission for Cooperation in Higher Education (D. Bush), read the first time by short title and referred to the Rules Committee.

H.B. 7, Marriage Preparation Education (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 8, Unemployment Insurance Benefits – Social Security Benefits Offset (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 9, Absentee Ballot Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 10, State Highway System Changes (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 11, Unused Sick Leave for State Employee Provisions (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 12, Requirements for Recording Certain Real Estate Documents (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 13, Hazardous Waste and Nonhazardous Solid Waste Fee and Tax Amendments (E. Anderson), read the first time by short title and referred to the Rules Committee.

H.B. 14, Repeal of Education Mandates (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 15, Motor Vehicles Title and Registration Amendments (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 16, Life Insurance Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 17, Captive Insurance Companies Act Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 18, Utah State Scenic Byway Committee (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 19, Employment Support Act Amendments (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 20, Construction Bonding Statutes (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 21, Licensing – Insurance Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 22, Civic and Character Education in Schools (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 23, Joint Transportation Planning Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 24, Motor Vehicles Code Revisions (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 25, Governmental Internet Information Privacy Act (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 26, Parent–time Schedule Amendments (S. Daniels), read the first time by short title and referred to the Rules Committee.

H.B. 27, Individual Income Tax Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 28, Transportation Planning Task Force Reauthorization (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 29, Utah Telehealth Commission Amendments (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 30, Amendments to Administrative Services Rate Committee (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 31, Information Technology Procurement Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 32, Lien Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 33, Authorization to Close a Meeting (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 34, Unlawful Controlled Substances in Correctional Facilities (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 35, Requirements of Trustees of Trust Deeds (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 36, Management, Enhancement, and Funding of 911 System (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 37, Sunset Reauthorizations (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 38, Sales and Use Tax – Repeal of Cable and Satellite Service (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 39, Special Functions Officers for the Division of Occupational and Professional Licensing (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 40, Filling Midterm Vacancies in the Legislature (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 41, Health Insurance Coverage for Dependents (J. Buffmire), read the first time by short title and referred to the Rules Committee.

H.B. 42, Interest Rates on Judgments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 43, No Child Left Behind Opt Out (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 44, Use of Public Education Monies (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 45, Individual Income Tax Amendments for Education Funding (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 46, Appropriation for School Districts Impacted by Fee Waivers (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 47, Elementary School Vending Machine Sales (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 48, Collection of Information by Department of Health (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 49, Natural Gas Technician Certification (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 50, Automobile Crime Prevention (D. Bowman), read the first time by short title and referred to the Rules Committee.

H.B. 51, Nonresident User Fee for Off-highway Vehicle Users (D. Bowman), read the first time by short title and referred to the Rules Committee.

H.B. 52, Individual Deferred Annuities – Nonforfeiture Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 53, Additional State Retirement Benefit (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 54, Videotape of Minors (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 55, School and Institutional Trust Land Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 56, Local Government Lien for Service Charges (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 57, Amendments to Budgetary Procedures Act (J. Seitz), read the first time by short title and referred to the Rules Committee.

H.B. 58, Trust Lands Administration (D. Bowman), read the first time by short title and referred to the Rules Committee.

H.B. 59, Lien for Homeowner Association Charges (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 60, Protection of Children in Foster Care (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 61, Child Welfare Investigations (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 62, Lien Recovery Fund Amendments (R. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 63, Identification of Stolen Firearms (J. Buffmire), read the first time by short title and referred to the Rules Committee.

H.B. 64, Amendments to Local Option Sales Tax for Municipalities (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 65, Tuition Waiver for Purple Heart Recipients (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 66, State Spending Limitations Amendments (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 67, Cultural Affairs Task Force (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 68, Criminal Penalty Amendment (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 69, Pharmaceutical Cost Reduction Amendments (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 70, Geriatric Care Managers (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 71, Water Conservation Plans (J. Buffmire), read the first time by short title and referred to the Rules Committee.

H.B. 72, Release of Claims on Behalf of a Minor (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 73, Pattern of Unlawful Activity Act Amendments (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.B. 74, Extension of Sales and Use Tax Exemption for Steel Industry (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 75, Industrial Assistance Fund Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 76, Mobile Home Park Residency Act Amendments (C. Duckworth), read the first time by short title and referred to the Rules Committee.

H.B. 77, Felony Assault Amendments (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 78, School Land Trust Program Restricted Account (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 79, Right to Display Flag At Personal Residence (C. Duckworth), read the first time by short title and referred to the Rules Committee.

H.B. 80, Wildlife License Agents – Penalties for Violations (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 81, Criminal Law Intent Amendment (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.B. 82, Virtual Visitation Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 83, State Retirement – Funded Ratio (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 84, State School Board Candidates (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 174, Forensic Mental Health Amendments (J. Seitz), read the first time by short title and referred to the Rules Committee.

H.B. 175, Process for Filling Midterm Vacancies in the Legislature (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 176, Child Restraint Safety Devices (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 177, Interference with School Activities (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 178, Motor Vehicle Purchase Amendments (D. Bush), read the first time by short title and referred to the Rules Committee.

H.B. 179, Vulnerable Adult Abuse Amendments (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 180, Death Penalty Provisions (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 181, Fluorine Cost Requirements (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 182, Construction Lien Amendments (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 183, Conditions for Release after Notice Regarding Arrest for Domestic Violence (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 184, Voyeurism Amendments (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 185, Law Enforcement – Reporting Hazardous Materials Relating to Controlled Substances (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 186, Evaluation and Counseling Prior to Termination Proceedings (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 187, Viatical Settlement Act (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 188, Donation of Surplus Computers to Persons with a Disability (C. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 189, Tobacco Compliance Amendments (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 190, Restricting Wireless Telephone Use for School Bus Drivers (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.B. 191, Corporate Franchise and Income Tax Amendments (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 192, Repeal of Thrifts Settlement Financing Provisions (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 193, Commission on Criminal and Juvenile Justice (M. Lawrence), read the first time by short title and referred to the Rules Committee.

H.B. 194, Commission on Criminal and Juvenile Justice Membership (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 195, Consumer Protection Amendments (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 196, Safety Inspection and Emission Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 197, Limit on Child Welfare Recommendations and Rulings (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 198, Child Welfare Court Reports (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 199, Disruption of Activities in or Near School Building (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 200, Recognition of Foreign Adoptions (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 201, Traffic Signal Preemption Device (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 202, Mail Order Tobacco Sales Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 203, Special Group License Plate (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 204, Public Utilities Revisions (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 205, State Settlement Agreements Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 206, Constitutional Defense Council Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 207, Health Insurance Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 208, Regulation of Motorized Scooters (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 209, Licensing of Plumbing and Electrical Trades (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 210, Law Enforcement Employee Background Checks (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 211, Renewal of Fishing License (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.J.R. 1, Resolution Amending Dates of Annual Legislative Session (S. Mascaró), read the first time by short title and referred to the Rules Committee.

H.J.R. 2, Resolution of Legislative Support for Music and Other Fine Arts Programs in Public Schools (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.J.R. 3, Resolution Urging Congress to Consider Withdrawing the United States from the United Nations (D. Bush), read the first time by short title and referred to the Rules Committee.

H.J.R. 4, Joint Rules Resolution – Appropriation Process Revisions (W. Harper), read the first time by short title and referred to the Rules Committee.

H.J.R. 5, Joint Rules Resolution – Appropriation Subcommittee Meetings (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.J.R. 6, Resolution Amending Joint Rules Regarding Long Title (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.J.R. 7, Joint Rules Resolution – Resolutions Amendments (M. Dillree), read the first time by short title and referred to the Rules Committee.

H.R. 1, House Rules Resolution – Access to House Floor (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.R. 2, House Rules Resolution – Standing Committee Process Amendments (R. Becker), read the first time by short title and referred to the Rules Committee.

H.R. 3, House Rules Resolution – Limit on Gifts (R. Becker), read the first time by short title and referred to the Rules Committee.

H.R. 4, House Rules Resolution – Amendments Governing Reading of Bills (M. Dayton), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to saunter.

Speaker Stephens called the House to order at 11:05 a.m.

Session interns and staff were introduced.

On motion of Representative Curtis, the House voted to recess until 11:30 a.m.

Speaker Stephens called the House to order at 11:35 a.m.

COMMITTEE OF THE WHOLE

On motion of Representative Styler, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Phyllis Carathers, Martin Luther King Commission, and Terra

Martinez, University of Utah Professor. A musical number was performed by Cari Sue Green, Heidi Green, Adrienne Green, Adam Green, and James Chism.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

RULES COMMITTEE REPORTS

Mr. Speaker: January 19, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar.

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| H.R. 4 | House Rules Resolution – Amendments Governing Reading of Bills (Rep. M. Dayton) |
| H.J.R. 6 | Resolution Amending Joint Rules Regarding Long Title (Rep. B. Ferry) |
| H.J.R. 7 | Joint Rules Resolution – Resolutions Amendments (Rep. M. Dillree) |
| H.B. 4 | Technical Amendment – Polling Place Supplies (Rep. K. Morgan) |
| H.B. 5 | Publication of Resolution or Notice (Rep. E. Hutchings) |
| H.B. 6 | Repeal of Utah Interstate Commission for Cooperation in Higher Education (Rep. D. Bush) |
| H.B. 8 | Unemployment Insurance Benefits – Social Security Benefits Offset (Rep. D. Cox) |
| H.B. 11 | Unused Sick Leave for State Employee Provisions (Rep. D. Clark) |
| H.B. 15 | Motor Vehicles Title and Registration Amendments (Rep. J. Murray) |
| H.B. 16 | Life Insurance Law Amendments (Rep. J. Dunnigan) |
| H.B. 17 | Captive Insurance Companies Act Amendments (Rep. J. Dunnigan) |
| H.B. 18 | Utah State Scenic Byway Committee (Rep. J. Dougall) |
| H.B. 19 | Employment Support Act Amendments (Rep. D. Cox) |
| H.B. 20 | Construction Bonding Statutes (Rep. M. Morley) |
| H.B. 21 | Licensing – Insurance Law Amendments (Rep. J. Dunnigan) |
| H.B. 23 | Joint Transportation Planning Amendments (Rep. R. Lockhart) |
| H.B. 24 | Motor Vehicles Code Revisions (Rep. J. Murray) |
| H.B. 25 | Governmental Internet Information Privacy Act (Rep. W. Harper) |

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| H.B. 26 | Parent–time Schedule Amendments (Rep. S. Daniels) |
| H.B. 27 | Individual Income Tax Amendments (Rep. W. Harper) |
| H.B. 28 | Transportation Planning Task Force Reauthorization (Rep. R. Lockhart) |
| H.B. 30 | Amendments to Administrative Services Rate Committee (Rep. D. Clark) |
| H.B. 31 | Information Technology Procurement Amendments (Rep. D. Clark) |
| H.B. 32 | Lien Amendments (Rep. M. Morley) |
| H.B. 34 | Unlawful Controlled Substances in Correctional Facilities (Rep. L. Christensen) |
| H.B. 35 | Requirements of Trustees of Trust Deeds (Rep. D. Clark) |
| H.B. 37 | Sunset Reauthorizations (Rep. G. Curtis) |
| H.B. 38 | Sales and Use Tax – Repeal of Cable and Satellite Service (Rep. G. Curtis) |

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

* * *

Mr. Speaker: January 19, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

| | |
|-----------------|---|
| H.B. 12 | Requirements for Recording Certain Real Estate Documents (Rep. D. Clark) |
| H.B. 52 | Individual Deferred Annuities – Nonforfeiture Amendments (Rep. J. Dunnigan) |
| H.B. 59 | Lien for Homeowner Association Charges (Rep. S. Mascaro) |
| H.B. 62 | Lien Recovery Fund Amendments (Rep. R. Webb) |
| H.B. 182 | Construction Lien Amendments (Rep. S. Clark) |
| H.B. 187 | Viatical Settlement Act (Rep. J. Dunnigan) |
| H.B. 192 | Repeal of Thrifts Settlement Financing Provisions (Rep. G. Curtis) |
| H.B. 195 | Consumer Protection Amendments (Rep. S. Allen) |
| H.B. 202 | Mail Order Tobacco Sales Amendments (R. Lockhart) |

EDUCATION

| | |
|----------------|---|
| H.B. 14 | Repeal of Education Mandates (Rep. M. Dayton) |
|----------------|---|

- H.B. 22** Civic and Character Education in Schools
(Rep. L. Christensen)
- H.B. 46** Appropriation for School Districts Impacted by Fee
Waivers (Rep. L. Shurtliff)
- H.B. 65** Tuition Waiver for Purple Heart Recipients
(Rep. G. Hughes)
- H.J.R. 2** Resolution of Legislative Support for Music and Other
Fine Arts Programs in Public Schools (Rep. R. Bigelow)

GOVERNMENT OPERATIONS

- H.B. 9** Absentee Ballot Amendments (Rep. D. Aagard)
- H.B. 40** Filling Midterm Vacancies in the Legislature
(Rep. C. Frank)
- H.B. 57** Amendments to Budgetary Procedures Act (Rep. J. Seitz)
- H.B. 67** Culture Affairs Task Force (Rep. S. Allen)
- H.B. 175** Process for Filling Midterm Vacancies in the Legislature
(Rep. W. Harper)
- H.J.R. 1** Resolution Amending Dates of Annual Legislative
Session (Rep. S. Mascaro)

HEALTH AND HUMAN SERVICES

- H.B. 29** Utah Telehealth Commission Amendments (Rep. B. Dee)
- H.B. 41** Health Insurance Coverage for Dependents
(Rep. J. Buffmire)
- H.B. 47** Elementary School Vending Machine Sales
(Rep. P. Jones)
- H.B. 48** Collection of Information by Department of Health
(Rep. D. Hogue)
- H.B. 54** Videotape of Minors (Rep. W. Harper)
- H.B. 189** Tobacco Compliance Amendments (Rep. D. Hogue)
- H.B. 197** Limit on Child Welfare Recommendations and Rulings
(Rep. M. Thompson)
- H.B. 198** Child Welfare Court Reports (Rep. M. Thompson)

JUDICIARY

- H.B. 7** Marriage Preparation Education (Rep. R. McGee)
- H.B. 42** Interest Rates on Judgments (Rep. J. Dunnigan)
- H.B. 186** Evaluation and Counseling Prior to Termination
Proceedings (Rep. M. Thompson)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 39** Special Functions Officers for the Division of Occupational and Professional Licensing (Rep. J. M. Philpot)
- H.B. 50** Automobile Crime Prevention (Rep. D. Bowman)
- H. B. 63** Identification of Stolen Firearms (Rep. J. Buffmire)
- H.B. 180** Death Penalty Provisions (Rep. S. Allen)
- H.B. 184** Voyeurism Amendments (Rep. B. Goodfellow)
- H.B. 193** Commission on Criminal and Juvenile Justice (Rep. M. S. Lawrence)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 55** School and Institutional Trust Land Amendments (Rep. M. Noel)
- H.B. 58** Trust Lands Administration (Rep. D. Bowman)

POLITICAL SUBDIVISIONS

- H.B. 56** Local Government Lien for Service Charges (Rep. S. Mascaro)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 49** Natural Gas Technician Certification (Rep. G. Snow)

REVENUE AND TAXATION

- H.B. 44** Use of Public Education Monies (Rep. P. Jones)
- H.B. 45** Individual Income Tax Amendments for Education Funding (Rep. P. Jones)
- H.B. 64** Amendments to Local Option Sales Tax for Municipalities (Rep. S. Allen)
- H.B. 191** Corporate Franchise and Income Tax Amendments (Rep. G. Snow)

TRANSPORTATION

- H.B. 10** State Highway System Changes (Rep. J. Dougall)
- H.B. 51** Nonresident User Fee for Off-highway Vehicle Users (Rep. D. Bowman)
- H.B. 178** Motor Vehicle Purchase Amendments (Rep. D. Bush)
- H.B. 190** Restricting Wireless Telephone Use for School Bus Drivers (Rep. N. Hendrickson)
- H.B. 196** Safety Inspection and Emission Amendments (Rep. W. Harper)

H.B. 201 Traffic Signal Preemption Device (Rep. J. Dougall)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:15 p.m.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Chief Justice Christine Durham on the State of the Judiciary.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 20, 2004, at 10:00 a.m.

SECOND DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Daniels, absent.

Pledge of Allegiance and prayer by Representative R. Curt Webb.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 19, 2004

The Senate passed **S.J.R. 2**, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.J.R. 1**, RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.J.R. 2** and **S.J.R. 1**, read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 85, Health Insurance Mandate Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 86, Primary Care Network Amendments (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 87, Divorce and Custody Proceedings (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 88, State Land Use Management Plans (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 89, Special Group License Plate – Adopt – Choose Life (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 90, Access to Child Welfare Hearings (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 173, Liability Insurance for Contractors – Monitoring System (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 213, Changes to Investment Advisory Committee (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 214, School and Institutional Trust Lands – Clarifying References to Rules and Policies (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 215, Uniform Building Standards Amendments (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 216, Internet Privacy Act (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 217, Changes to Division of Facilities and Construction Management Contract Procedures and Requirements (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 218, Private Health Insurance – Waiver of Health Condition (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 219, Construction Bond Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.C.R. 2, Individuals with Disabilities Act Resolution (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.R. 5, Resolution Urging Congress to Pass Social Security Retirement Account Legislation (M. Morley), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.R. 4, HOUSE RULES RESOLUTION – AMENDMENTS TO GOVERNING READING OF BILLS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.R. 4**.

* * *

H.J.R. 6, RESOLUTION AMENDING JOINT RULES REGARDING LONG TITLE, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.J.R. 6**.

* * *

H.J.R. 7, JOINT RULES RESOLUTION – RESOLUTIONS AMENDMENTS, read the third time by short title and placed on its final passage.

H.J.R. 7 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|----------|--------------|
| S. Allen | Becker | D. Clark | Daniels |
| Ferry | Harper | Hughes | E. Hutchings |

H.J.R. 7 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dayton, the House voted to uncircle **H.R. 4**.

H.R. 4, HOUSE RULES RESOLUTION – AMENDMENTS GOVERNING READING OF BILLS, was before the House on its final passage.

H.R. 4 then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

Gowans Hendrickson

Absent or not voting were: Representatives

Becker Daniels Hughes Peterson

H.R. 4 signed by the Speaker and transmitted to the Lt. Governor.

THIRD READING CALENDAR

H.B. 4, TECHNICAL AMENDMENT – POLLING PLACE SUPPLIES, read the third time by short title and placed on its final passage.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 10:30 a.m.

Speaker Stephens called the House to order at 10:45 a.m.

* * *

On motion of Representative Curtis, the House voted to recess until 11:00 a.m.

Speaker Stephens called the House to order at 11:05 a.m.

UNFINISHED BUSINESS

H.B. 4, TECHNICAL AMENDMENT – POLLING PLACE SUPPLIES, was before the House upon final passage.

H.B. 4 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|--------|--------|
| Daniels | Dougall | Ferrin | Morley |
| Philpot | Thompson | | |

H.B. 4 transmitted to the Senate for its consideration.

* * *

H.B. 5, PUBLICATION OF RESOLUTION OR NOTICE, read the third time by short title and placed on its final passage.

H.B. 5 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|--------|--------|
| Daniels | Ferrin | Hughes | Morley |
|---------|--------|--------|--------|

H.B. 5 transmitted to the Senate for its consideration.

* * *

H.B. 6, REPEAL OF UTAH INTERSTATE COMMISSION FOR COOPERATION IN HIGHER EDUCATION, read the third time by short title and placed on its final passage.

H.B. 6 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|---------|--------|--------|
| Buffmire | Daniels | Ferrin | Hughes |
|----------|---------|--------|--------|

H.B. 6 transmitted to the Senate for its consideration.

* * *

H.B. 8, UNEMPLOYMENT INSURANCE BENEFITS – SOCIAL SECURITY BENEFITS OFFSET, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 8**.

* * *

H.B. 11, UNUSED SICK LEAVE FOR STATE EMPLOYEES, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 11**.

* * *

H.B. 15, MOTOR VEHICLES TITLE AND REGISTRATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 15 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|---------|--------|
| Daniels | Ferrin |
|---------|--------|

H.B. 15 transmitted to the Senate for its consideration.

* * *

H.B. 16, LIFE INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 16 then passed on the following roll call:

Yeas, 66; Nays, 6; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |

| | | | |
|-----------|------------|--------------|------------|
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-------------|---------|----------|
| Christensen | Curtis | Philpot | Thompson |
| Ure | M. Stephens | | |

Absent or not voting were: Representatives

| | | |
|---------|---------|--------|
| Daniels | Dougall | Ferrin |
|---------|---------|--------|

H.B. 16 transmitted to the Senate for its consideration.

* * *

H.B. 17, CAPTIVE INSURANCE COMPANIES ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 17.**

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 20, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 49, NATURAL GAS TECHNICIAN CERTIFICATION,** by Representative G. Snow.

Stephen H. Urquhart, Chair

Report filed. On motion of Representative Urquhart, the report of the Public Utilities and Technology committee was adopted.

H.B. 49, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 20, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 48**, COLLECTION OF INFORMATION BY DEPARTMENT OF HEALTH, by Representative D. Hogue; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 41**, HEALTH INSURANCE COVERAGE FOR DEPENDENTS, by Representative J. Buffmire, with the following amendments:

1. Line 24:
Delete line 24 and insert "None"
2. Lines 69–70:
Delete lines 69–70; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 189**, TOBACCO COMPLIANCE AMENDMENTS, by Representative D. Hogue, with the following amendment:

1. Lines 264 through 272:

264 ~~[[If a court of competent jurisdiction finds that the amendments to Section 59–22–203 of~~

265 ~~this bill and the provisions of Chapter 22, Model Tobacco Settlement Act, conflict and cannot~~

266 ~~be harmonized, then the provisions of Chapter 22, Model Tobacco Settlement Act, shall~~

267 ~~control. If any part of the amendments to Section 59–22–203 causes Chapter 22, Model~~

268 ~~Tobacco Settlement Act to no longer constitute a qualifying or model statute, as defined in the~~

269 ~~Master Settlement Agreement, that part of the amendments to Section 59–22–203 shall not be~~

270 ~~valid. If any part of the amendments to Section 59–22–203 is for any reason held to be invalid,~~

271 ~~unlawful, or unconstitutional, the validity of the remaining part of the amendments to Section~~

272 ~~59-22-203 shall not be affected.~~] If this act, or any portion of the amendment to Subsection (2)(b) made by this act, is held by a court of competent jurisdiction to be unconstitutional, then such Subsection (2)(b) shall be deemed to be repealed in its entirety. If subsection (2) shall thereafter be held by a court of competent jurisdiction to be unconstitutional, then this act shall be deemed repealed, and Subsection (2)(b) be restored as if no such amendment has been made. Neither any holding of unconstitutionality nor repeal of Subsection (2)(b) shall affect, impair, or invalidate any other portion of Section 59-22-203, or the application of such section to any other person or circumstance, and such remaining portions of Section 59-22-203 shall at all times continue in full force and effect.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

H.B. 48, H.B. 41, as amended, and **H.B. 189**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 20, 2004

The Education Committee reports a favorable recommendation on **H.J.R. 2**, RESOLUTION OF LEGISLATIVE SUPPORT FOR MUSIC AND OTHER FINE ARTS PROGRAMS IN PUBLIC SCHOOLS, by Representative R. Bigelow; and

The Education Committee reports a favorable recommendation on **H.B. 14**, REPEAL OF EDUCATION MANDATES, by Representative M. Dayton.

Margaret Dayton, Chair

Report filed. On motion of Representative Dayton, the report of the Education committee was adopted.

H.J.R. 2 and **H.B. 14** read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 20, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 52, INDIVIDUAL DEFERRED ANNUITIES – NONFORFEITURE AMENDMENTS**, by Representative J. Dunnigan.

Katherine M. Bryson, Chair

Report filed. On motion of Representative Bryson, the report of the Business and Labor committee was adopted.

H.B. 52, read the second time by short title and placed on the calendar for third reading.

RULES COMMITTEE REPORTS

Mr. Speaker: January 20, 2004

The Rules Committee recommends that, under suspension of the rules, the following resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

S.J.R. 1 Resolution Reappointing Legislative Fiscal Analyst
(Sen. P. Knudson) (Rep. M. Styler)

S.J.R. 2 Resolution Approving Compensation of In-session
Employees (Sen. B. Evans) (Rep. M. Styler)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

* * *

Mr. Speaker: January 20, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 79 Right to Display Flag At Personal Residence
(Rep. C. Duckworth)

H.B. 209 Licensing of Plumbing and Electrical Trades
(Rep. S. Clark)

GOVERNMENT OPERATIONS

H.B. 206 Constitutional Defense Council Amendments
(Rep. M. Noel)

HEALTH AND HUMAN SERVICES

- H.B. 174** Forensic Mental Health Amendments (Rep. J. Seitz)
H.B. 183 Conditions for Release after Notice Regarding Arrest for Domestic Violence (Rep. P. Wallace)

JUDICIARY

- H.B. 72** Release of Claims on Behalf of a Minor (Rep. J. Dougall)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 73** Pattern of Unlawful Activity Act Amendments
(Rep. T. McCartney)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 80** Wildlife License Agents – Penalties for Violations
(Rep. B. Last)

POLITICAL SUBDIVISIONS

- H.B. 181** Fluorine Cost Requirements (Rep. M. Morley)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 36** Management, Enhancement, and Funding of 911 System
(Rep. B. Dee)
H.B. 204 Public Utilities Revisions (Rep. G. Curtis)

RETIREMENT AND INDEPENDENT ENTITIES

- H.B. 83** State Retirement – Funded Ratio (Rep. A. Hardy)

TRANSPORTATION

- H.B. 203** Special Group License Plate (Rep. D. Hogue)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

- H.B. 75** Industrial Assistance Fund Amendments (Rep. D. Clark)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 21, 2004, at 10:00 a.m.

THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Robert Hunter, President of Northern Utah United Way, guest of Representative Brad Dee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 20, 2004
The Senate passed **S.B. 4**, REPEAL OF COST–SAVINGS SUGGESTIONS PILOT PROGRAM, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 6**, REFURBISHED COMPUTERS IN SCHOOLS PROGRAM, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 8**, LOCAL REFERENDUM AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 15**, CARRYOVER OF AUTHORIZED CAPITAL OUTLAY AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 4**, **S.B. 6**, **S.B. 8**, and **S.B. 15**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 20, 2004
The Government Operations Committee reports a favorable recommendation on **H.B. 9**, ABSENTEE BALLOT AMENDMENTS, by Representative D. Aagard, with the following amendments:

1. Page 1, Line 12:
After line 12 insert:
 - ▶ establishes requirements for making absentee ballot information available to the public;

2. Page 1, Line 24:
After line 25 insert:
ENACTS:
20A-3-304.1, Utah Code Annotated 1953

3. Page 5, Line 133:
After line 133 insert:
Section 4. Section 20A-3-304.1 is enacted to read:
20A-3-304.1. County clerk to provide absentee ballot information and status.
(1) As used in this section:
(a) "Absentee ballot record" means the information about the existence and status of absentee ballot requests required by this section.
(b) "Qualified absentee ballot application" means an absentee ballot application filed under Section 20A-3-304 from a voter who the county clerk determines is eligible to receive an absentee ballot.
(2) (a) Each county clerk shall maintain an absentee ballot record in the county clerk's office.
(b) The absentee ballot record is a public record under Title 63, Chapter 2, Government Records Access and Management Act.
(3) The county clerk shall ensure that the absentee ballot record contains, for each voting precinct:
(a) the name and address of each person who has filed a qualified absentee ballot application;
(b) the date that the application was received;
(c) the current status of each qualified absentee ballot application including specifically:
(i) whether or not the absentee ballot has been mailed to the voter; and
(ii) whether or not the voted absentee ballot has been received by the county clerk.
(4) (a) Notwithstanding the time limits for response to a request for records under Section 63-2-204 or the time limits for a request for records established in any county ordinance, the county clerk shall ensure that the information required by this section is recorded and made available no later than twenty-four hours after its receipt.
(b) Notwithstanding the fee requirements of Section 63-2-203 or the fee requirements established in any county ordinance, the clerk shall

make copies of the absentee ballot record available to the public for the actual cost of production or copying.

Renumber remaining sections accordingly; and

The Government Operations Committee reports a favorable recommendation on **H.B. 175**, PROCESS FOR FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative W. Harper; and

The Government Operations Committee reports a favorable recommendation on **H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative C. Frank; and

The Government Operations Committee reports a favorable recommendation on **H.B. 57**, AMENDMENTS TO BUDGETARY PROCEDURES ACT, by Representative J. Seitz.

James A. Ferrin, Chair

Reports filed. On motion of Representative Bigelow, the reports of the Government Operations committee were adopted.

H.B. 9, as amended, **H.B. 175**, **H.B. 40**, and **H.B. 57**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 20, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 191**, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, by Representative G. Snow.

Wayne A. Harper, Chair

Report filed. On motion of Representative S. Clark, the report of the Revenue and Taxation committee was adopted.

H.B. 191, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 20, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 55**, SCHOOL AND INSTITUTIONAL TRUST LAND AMENDMENTS, by Representative M. Noel, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 1, Lines 19 through 20
 - 19 Other Special Clauses:
 - 20 ~~[[None]]~~ This bill provides an immediate effective date.
- 2. Page 3, Lines 84 through 87:
 - 84 (7) Upon payment in full of principal and interest and the surrender of the original
 - 85 certificate of sale for any tract of land sold, or payment in full of any amounts required to be
 - 86 paid for the partial release of property, the ~~[[{]]~~ governor ~~[[}]]~~ ~~[[director]]~~ , or the governor’s designee, shall issue a patent to the
 - 87 purchaser, heir, assignee, successor in interest, or other grantee as determined by the director.
- 3. Page 4, Lines 105 through 106:
 - 105 (b) ~~[Upon request of the director, the governor]~~ The director , upon authorization from the governor, shall execute and deliver
 - 106 the necessary patents to other proprietors and receive proper deeds for the lands exchanged.
- 4. Page 4, Line 113:
 - 113 (b) The state shall honor all vested rights upon acceptance of exchanged lands.
 - Section 4. Effective date.
 - If approved by two–thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.

Craig W. Buttars, Chair

Report filed. On motion of Representative Buttars, the report of the Natural Resources, Agriculture, and Environment committee was adopted.

H.B. 55, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 20, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 184**, VOYEURISM AMENDMENTS, by Representative B. Goodfellow, with the following amendments:

1. Page 2, Lines 48 through 50
48 (a) for the purpose of intentionally viewing any portion of the
individual's body regarding which the
49 individual has a reasonable expectation of privacy, whether or not
that portion of the body is
50 covered with clothing; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 193, COMMISSION ON CRIMINAL AND JUVENILE JUSTICE**, by Representative M. S. Lawrence.

DeMar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 184, as amended, and **H.B. 193**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 91, Utah Administrative Rulemaking Act Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 212, Traffic Accident Response (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 220, Off-highway Vehicle Amendments (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 221, Use of Credit Information for Insurance (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 222, Robbery Amendments (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 223, State School Board Candidate Selection Committees (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 224, Repeal of Public Education Amendments (J. Buffmire), read the first time by short title and referred to the Rules Committee.

H.B. 225, Provision for Emergency Medical Services (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 226, Legislative Approval for Capital Projects (D. Ure), read the first time by short title and referred to the Rules Committee.

H.C.R. 3, Resolution Urging Protection of United States from Weapons of Mass Destruction (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.C.R. 4, Resolution Encouraging Lifetime and Retirement Savings Accounts (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.C.R. 5, Resolution Urging Federal Tax Cuts to Be Made Permanent (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.J.R. 8, Resolution Authorizing the Legislature to Call Itself into Session (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.R. 6, Resolution Urging Congress to Pass Lifetime and Retirement Savings Account Legislation (M. Morley), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.J.R. 1, RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST, read the third time by short title and placed on its final passage.

S.J.R. 1 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | King |
| Kiser | Last | Lawrence | Litvack |

| | | | |
|----------|---------|----------|-------------|
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives
Dayton E. Hutchings Jones

S.J.R. 1 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.J.R. 2, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, read the third time by short title and placed on its final passage.

S.J.R. 2 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|----------|
| Anderson | Bourdeaux | Dayton | Lockhart |
| G. Snow | | | |

S.J.R. 2 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle **H.B. 17**.

H.B. 17, CAPTIVE INSURANCE COMPANIES ACT AMENDMENTS, was before the House on its final passage.

H.B. 17 then passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|-------------|
| Aagard | Barrus | Becker | Bigelow |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|---------|-----------|
| Adams | Alexander | Bennion | Bird |
| Bush | Christensen | Curtis | Donnelson |
| Ferrin | Hughes | Morley | Philpot |
| Thompson | Ure | | |

Absent or not voting were: Representatives

S. Allen Anderson Gowans

H.B. 17 transmitted to the Senate for its consideration.

* * *

On motion of Representative Ferry, the House voted to uncircle **H.J.R. 6**.

H.J.R. 6, RESOLUTION AMENDING JOINT RULES REGARDING LONG TITLE, was before the House on its final passage.

H.J.R. 6 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

Mascaro G. Snow

H.J.R. 6 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 18, UTAH STATE SCENIC BYWAY COMMITTEE, read the third time by short title and placed on its final passage.

H.B. 18 then passed on the following roll call:

Yeas, 57; Nays, 18; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Murray | Noel | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|-------------|-----------|
| Bird | Bryson | Christensen | Donnelson |
| Harper | Holdaway | Hughes | Mascaro |
| Morley | Moss | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | | |

H.B. 18 transmitted to the Senate for its consideration.

* * *

H.B. 19, EMPLOYMENT SUPPORT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 19 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |

| | | | |
|------------|--------------|------------|-------------|
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-----------|----------|--------|
| Alexander | S. Clark | Morgan |
|-----------|----------|--------|

H.B. 19 transmitted to the Senate for its consideration.

* * *

H.B. 20, CONSTRUCTION BONDING STATUTES, read the third time by short title and placed on its final passage.

H.B. 20 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-------------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morley |

| | | | |
|-------------|----------|---------|----------|
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|-----------|----------|
| Adams | Alexander | Bourdeaux | S. Clark |
| Ferrin | Morgan | | |

H.B. 20 transmitted to the Senate for its consideration.

* * *

H.B. 21, LICENSING – INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 21 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative
Thompson

Absent or not voting were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Adams | Alexander | Bourdeaux | Buffmire |
| S. Clark | Ferrin | Morgan | |

H.B. 21 transmitted to the Senate for its consideration.

* * *

H.B. 23, JOINT TRANSPORTATION PLANNING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

1. Page 1, Lines 21 through 24:
 - 21 ► provides that the governor and local units of government may redesignate or realign
 - 22 metropolitan planning organizations if the governor ~~[[determines]]~~ and the affected local units of government jointly determine that metropolitan
 - 23 planning organizations have failed to cooperate and submit joint transportation
 - 24 plans.
2. Page 2, Lines 49 through 52:
 - 49 (4) Subject to the provisions of 23 U.S.C. Sec. 134, if the governor ~~[[determines]]~~ and the affected local units of government jointly determine that
 - 50 metropolitan planning organizations have failed to meet the guidelines under Subsection (3).
 - 51 the governor and local units of government may redesignate or realign the metropolitan
 - 52 planning organizations.

Representative Ferry's motion to amend passed on a voice vote.

H.B. 23, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|-------------|-----------|------------|--------------|
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|----------|--------|
| Adams | Bourdeaux | S. Clark | Ferrin |
| McGee | Styler | | |

H.B. 23, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 24, MOTOR VEHICLES CODE REVISIONS, read the third time by short title and placed on its final passage.

Representative Murray proposed the following amendment:

- Page 1, Lines 15 through 16:
 - 15 ► requires an operator [[facing a steady circular red or red arrow signal]] to yield to other
 - 16 traffic moving through the intersection in accordance with an official traffic-control signal;
- Page 5, Lines 121 through 125:
 - 121 (ii) The ~~[vehicular traffic]~~ operator of a vehicle shall yield the right-of-way to:
 - 122 ~~[(a)]~~ (A) other vehicles moving through the intersection in accordance with an official
 - 123 traffic-control signal; and

124 ~~[[~~(b)~~]]~~ (B) pedestrians lawfully within an adjacent crosswalk ~~[and to other traffic lawfully~~

125 ~~using the intersection].~~

Representative Murray’s motion to amend passed on a voice vote.

#

Representative Newbold proposed the following amendment:

- 1. Page 8, Line 218:
After “turn” insert “unless stacking in the left hand turn lane extends beyond 500 feet”

Representative Newbold’s motion to amend passed on a voice vote.

On motion of Representative Buttars, the House voted to circle **H.B. 24**.

* * *

H.B. 25, GOVERNMENT INTERNET INFORMATION PRIVACY ACT, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

- 1. Page 4, Line 101:
After line 101, insert:
“(3)(a) Personally identifiable information is not a classification of records under Title 63, Chapter 2, Government Records Access and Management Act.
(b) Access to government records is governed by Title 63, Chapter 2, Government Records Access and Management Act.”

Representative Harper’s motion to amend passed on a voice vote.

H.B. 25, as amended, then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|--------------|------------|-----------|-----------|
| Christensen | D. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

Gowans Hendrickson

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|---------|
| Alexander | Bennion | S. Clark | Curtis |
| Ferrin | Lockhart | McGee | Philpot |

H.B. 25, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 26, PARENT–TIME SCHEDULE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 26 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |

| | | | |
|-----------|----------|-------------|----------|
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative Frank

Absent or not voting were: Representatives

| | | | |
|-------------|----------|---------|--------|
| Bennion | Buffmire | Curtis | Ferrin |
| Hendrickson | McGee | Philpot | |

H.B. 26 transmitted to the Senate for its consideration.

* * *

H.B. 27, INDIVIDUAL INCOME TAX AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to circle **H.B. 27**.

* * *

H.B. 28, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.B. 28**.

* * *

H.B. 30, AMENDMENTS TO ADMINISTRATIVE SERVICES RATE COMMITTEE, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **H.B. 30**.

* * *

H.B. 31, INFORMATION TECHNOLOGY PROCUREMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 31 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|----------|---------|--------|
| Barrus | Buffmire | Dougall | Ferrin |
| Mascaro | McGee | Styler | |

H.B. 31 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **H.B. 27**.

H.B. 27, INDIVIDUAL INCOME TAX AMENDMENTS, was before the House on its final passage.

On motion of Representative Harper the House voted to lift **H.B. 27** from the Third Reading Calendar and refer it to the Revenue and Taxation Standing Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 22, 2004, at 10:00 a.m.

FOURTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Eli Anderson, excused.

Pledge of Allegiance and prayer by Dr. David Henry, Wasatch Presbyterian Church, guest of Representative Roz McGee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 21, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 62**, LIEN RECOVERY FUND AMENDMENTS, by Representative R. C. Webb, with the following amendments:

1. Page 2, Lines 45 through 46:
 - 45 38-1-11. Enforcement -- Time for -- Lis pendens -- Action for debt not affected --
 - 46 Instructions and form affidavit ~~[[and motion]]~~.
2. Page 3, Line 87 through Page 4, Line 91:
 - 87 (d) Judicial determination of the rights and liabilities of the owner of the residence
 - 88 under Title 38, Chapters 1 and 11, and Title 14, Chapter 2, shall be stayed until after the owner
 - 89 has been given a reasonable period of time to establish compliance with Subsections
 - 90 38-11-204(4)(a) and (4)(b) through an informal proceeding, as set forth in Title 63, Chapter 46b, Administrative Procedures Act, commenced within 30 days of the owner being served summons in the foreclosure action, at the Division of Occupational and Professional Licensing and
 - 91 obtain a certificate of compliance or a denial of certificate of compliance, as defined in Section 38-11-102.

3. Page 7, Lines 189 through 195:

189 (3) The duties and responsibilities of the board shall be to:

190 (a) advise the division with respect to informal adjudication of
[elaims] any claim for

191 payment from the fund [by] and any request for a certificate of
compliance received by the

192 division;

193 (b) act as the presiding officer, as defined by rule, in formal
adjudicative proceedings

194 held before the division with respect to [elaims] any claim made for
payment from the fund [~~and~~

195 any request for a certificate of compliance received by the
division];

4. Page 7, Line 213 through Page 8, Line 216:

213 38–11–106. State not liable.

214 The state and the state's agencies, instrumentalities, and political
subdivisions are not

215 liable for;

216 (1) issuance or [~~failure to issue~~] denial of any certificate of
compliance;

5. Page 9, Lines 253 through 255:

253 38–11–110. Issuance of certificates of compliance.

254 The director shall have authority to issue or deny a certificate of
compliance only after determining through an informal proceeding, as
set forth in Title 63, Chapter 46b, Administrative Procedures Act,

255 that the owner is in compliance with Subsections 38–11–204(4)(a)
and (4)(b).

Katherine Bryson, Chair

Report filed. On motion of Representative Bryson, the report of the Business and Labor committee was adopted.

H.B. 62, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 21, 2004

The Education Committee reports a favorable recommendation on **H.B. 65**, TUITION WAIVER FOR PURPLE HEART RECIPIENTS, by Representative G. Hughes, et al, with the following amendments:

1. Page 1, Lines 14 through 15:

14 ► requires state institutions of higher education to waive the tuition of a Utah resident

15 admitted to ~~[[a]]~~ an undergraduate program of study leading to a degree or certificate, if the student has

2. Page 2, Lines 44 through 47:

44 (1) Beginning in the 2004–05 academic year, a state institution of higher education

45 shall waive undergraduate tuition for each Purple Heart recipient who:

46 (a) is admitted as a full–time, part–time, or summer school student in ~~[[a]]~~ an undergraduate program of

47 study leading to a degree or certificate; and

The Education Committee reports a favorable recommendation on **H.B. 46**, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, by Representative L. Shurtliff, with the following amendments:

1. Page 2, Line 43:

After line 43 insert the following:

“(v) In accordance with Title 63, Chapter 46b, Utah Administrative Rulemaking Act, the State Board of Education shall make rules:

(A) requiring a parent or guardian of a student applying for a fee waiver to provide documentation and certification to the school that verify the student’s eligibility to receive the waiver; and

(B) specifying the acceptable forms of documentation for the requirement under Subsection (1)(b)(v)(A).”

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

H.B. 65, as amended, and **H.B. 46**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 21, 2004

The Health and Human Services Committee recommends **H.B. 47**, ELEMENTARY SCHOOL VENDING MACHINE SALES, by Representative P. Jones, be replaced and favorably recommends **1st Sub. H.B. 47**, ELEMENTARY SCHOOL VENDING MACHINE SALES.

Mike Thompson, Chair

Report filed. On motion of Representative Curtis, the report of the Health and Human Services committee was adopted.

Sub. H.B. 47, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 20, 2004

The Judiciary Committee reports a favorable recommendation on **H.B. 186**, EVALUATION AND COUNSELING PRIOR TO TERMINATION PROCEEDINGS, by Representative M. Thompson.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Judiciary committee was adopted.

H.B. 186, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 20, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 10**, STATE HIGHWAY SYSTEM CHANGES, by Representative J. Dougall, with the following amendments:

1. Page 1, Line 13:
 - 13 ▶ removes a portion of SR-74 in Alpine from the state highway system; [[and]]
 - ▶ removes SR-295 in Orem, a driver testing range, from the state highway system; and
2. Page 1, Lines 20 through 21:

20 AMENDS:

21 72-4-113, as last amended by Chapter 92, Laws of Utah 2001

72-4-135, as last amended by Chapter 56, Laws of Utah 2000

3. Page 2, Lines 49 through 50:

49 line west of Evanston, Wyoming, on Interstate 80.

Section 2. Section 72-4-135 is amended to read:

72-4-135. State highways — SR-291 to SR-296, SR-298, SR-299. State highways include:

(1) SR-291. The Institute for the Blind. From Route 203, Harrison Boulevard, near Seventh Street in Ogden easterly and southerly to the hospital, including the loop on the southwest side of the hospital.

(2) SR-292. At Salt Lake Community College.

(a) From 2200 West Street easterly on 4520 South for 0.17 miles; beginning again at 0.47 miles easterly on 4520 South to Route 68.

(b) From Route 68 westerly on 4600 South for 0.80 miles; then northerly on 1900 West to 4520 South.

(c) From 4600 South northerly paralleling Route 68 to 4520 South.

(d) From 2200 West easterly on Bruin Boulevard to Route 68.

(3) SR-293. At State Capitol Building. All roads and parking areas within the capitol grounds.

(4) SR-294. At State Mental Hospital. From the main gate on Center Street in Provo easterly to the administration building.

~~[[(5) SR-295. Those roads used for drivers' tests at 1200 West in Orem City.]]~~

~~[[(6)]]~~ (5) SR-296. At American Fork Training School. From 700 North in American Fork northerly.

~~[[(7)]]~~ (6) SR-298. Roads at the Browning Armory in South Ogden used for automotive drivers' ability tests including parking areas.

~~[[(8)]]~~ (7) SR-299. Those roads used for drivers' tests at 2780 West and 4700 South in Salt Lake County.

50 Section ~~[[2]]~~ 3 Section 72-4-136 is amended to read:

Re-number remaining sections accordingly; and

The Transportation Committee reports a favorable recommendation on **H.B. 178, MOTOR VEHICLE PURCHASE AMENDMENTS**, by Representative D. Bush; and

The Transportation Committee reports a favorable recommendation on **H.B. 190**, RESTRICTING WIRELESS TELEPHONE USE FOR SCHOOL BUS DRIVERS, by Representative N. Hendrickson; and

The Transportation Committee reports a favorable recommendation on **H.B. 51**, NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS, by Representative D. Bowman; and

The Transportation Committee reports a favorable recommendation on **H.B. 201**, TRAFFIC SIGNAL PREEMPTION DEVICE, by Representative J. Dougall; and

The Transportation Committee reports a favorable recommendation on **H.B. 203**, SPECIAL GROUP LICENSE PLATE, by Representative D. Hogue.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation committee were adopted.

H.B. 10, as amended, **H.B. 178**, **H.B. 190**, **H.B. 51**, **H.B. 201**, and **H.B. 203**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 21, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 58**, TRUST LANDS ADMINISTRATION, by Representative D. Bowman; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 80**, WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS, by Representative B. Last.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 58 and **H.B. 80**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 21, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 73**, PATTERN OF UNLAWFUL ACTIVITY ACT AMENDMENTS, by Representative T. McCartney; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 180**, DEATH PENALTY PROVISIONS, by Representative S. Allen.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 73 and **H.B. 180**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 92, Brucellosis Vaccination Amendments (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 93, Dna Reimbursement Costs (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 94, Health Insurance Pool (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 95, Clarification of Dependent Health Care Coverage Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 96, Statute of Repose (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 97, Protective Order Amendments (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 98, Eligibility for Interscholastic Athletics (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 227, Midwife Certification Act (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 228, Sale, Exchange, or Donation of Real Property by State Agencies (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 229, Public Utility Easements (R. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 230, Property Tax Levy for Education (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 231, Review and Approval of Federal Monies Received by the State (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 232, Water Well Amendments (D. Peterson), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 32, LIEN AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 32 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Alexander | S. Allen | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Seitz | Shurtliff |
| G. Snow | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-----------|--------|
| Adams | Anderson | Bourdeaux | Jones |
| Mascaro | Peterson | Philpot | Styler |
| Thompson | | | |

H.B. 32 transmitted to the Senate for its consideration.

* * *

H.B. 34, UNLAWFUL CONTROLLED SUBSTANCES IN CORRECTIONAL FACILITIES, read the third time by short title and placed on its final passage.

On motion of Representative Christensen, the House voted to circle **H.B. 34**.

* * *

H.B. 35, REQUIREMENTS OF TRUSTEES OF TRUST DEEDS, read the third time by short title and placed on its final passage.

H.B. 35 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Seitz |
| Shurtliff | G. Snow | Ure | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|--------|----------|
| Anderson | S. Clark | Jones | Mascaro |
| Peterson | Philpot | Styler | Thompson |
| Urquhart | | | |

H.B. 35 transmitted to the Senate for its consideration.

* * *

H.B. 37, SUNSET REAUTHORIZATIONS, read the third time by short title and placed on its final passage.

Representative Curtis proposed the following amendment:

- 1. Page 5, Line 140:
Reinstate line 140.

Representative Curtis’s motion to amend passed on a voice vote.

H.B. 37, as amended, then passed on the following roll call:

Yeas, 63; Nays, 2; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | |
|--------|-------------|
| Bryson | M. Stephens |
|--------|-------------|

Absent or not voting were: Representatives

| | | | |
|-------------|----------|---------|----------|
| Anderson | S. Clark | Dayton | Dillree |
| Hendrickson | Jones | Mascaro | Peterson |
| Philpot | Thompson | | |

H.B. 37, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 38, SALES AND USE TAX – REPEAL OF CABLE AND SATELLITE SERVICE, read the third time by short title and placed on its final passage.

H.B. 38 then passed on the following roll call:

Yeas, 71; Nays, 3; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | |
|----------|--------|--------|
| S. Clark | D. Cox | Styler |
|----------|--------|--------|

Absent or not voting was: Representative

Anderson

H.B. 38 transmitted to the Senate for its consideration.

* * *

H.B. 49, NATURAL GAS TECHNICIAN, read the third time by short title and placed on its final passage.

H.B. 49 then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative was: Representative
M. Stephens

Absent or not voting were: Representatives

| | | |
|----------|----------|----------|
| S. Allen | Anderson | Holdaway |
|----------|----------|----------|

H.B. 49 transmitted to the Senate for its consideration.

* * *

H.B. 48, COLLECTION OF INFORMATION, read the third time by short title and placed on its final passage.

H.B. 48 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |

| | | | |
|--------------|-------------|-------------|------------|
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|---------|--------|------|
| Anderson | Dillree | Ferrin | King |
|----------|---------|--------|------|

H.B. 48 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **H.B. 30**.

H.B. 30, AMENDMENTS TO ADMINISTRATIVE SERVICES RATE COMMITTEE, was before the House on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 2, Line 54:

54 the committee a proposed rate and fee schedule for services rendered by the divisions to an executive

2. Page 3, Lines 64 through 65:

64 (ii) review the proposed rate and fee schedules and may approve, increase, or decrease the rate and fee;

65 (iii) recommend a proposed rate and fee schedule for each internal service fund to:

3. Page 4, Line 92:

92 (i) submits the proposed rate, fees or other amounts for services provided by the division's internal service fund to the Rate Committee established in Section 63A-1-114;

4. Page 5, Lines 129 through 137:

129 (3) Before charging a rate, fee, or other amount to an executive branch agency, or to a subscriber of services

130 other than an executive branch agency, the director shall:

131 (a) submit the proposed rates, fees, or other amount and cost analysis to the Rate Committee established in

132 Section 63A-1-114; and

133 (b) obtain the approval of the Legislature as required by Section 63-38-3.5.

134 (4) The director shall conduct a market analysis by July 1, 2005, and periodically

135 thereafter, of proposed rates and fees, which analysis shall include a comparison of the division's rates and fees

136 with the fees of other public or private sector providers where comparable services and rates

137 are reasonably available.

5. Page 6, Lines 165 through 173:

165 (ix) before charging a rate, fee, or other amount for services provided by the division's internal service fund to an executive branch agency, or to a subscriber of services

166 other than an executive branch agency:

167 (A) submit the proposed rates, fees and cost analysis to the Rate Committee established in

168 Section 63A-1-114; and

169 (B) obtain the approval of the Legislature as required by Section 63-38-3.5;

170 (x) conduct a market analysis by July 1, 2005, and periodically thereafter, of proposed

171 rates and fees, which analysis shall include a comparison of the division's rates and fees with the fees of other

172 public or private sector providers where comparable services and rates are reasonably

173 available; and

6. Page 9, Lines 272 through 273:
 272 (i) submit the proposed rates, fees and cost analysis to the Rate Committee established in
 273 Section 63A-1-114; and
7. Page 10, Line 276:
 276 thereafter, of proposed rates and fees, which analysis shall include a comparison of the division's rates
8. Page 12, Lines 341 through 348341:
 (i) before charging a rate, fee or other amount to an executive branch agency, or to a subscriber of services
 342 other than an executive branch agency;
 343 (A) submit the proposed rates, fees and cost analysis to the Rate Committee established in
 344 Section 63A-1-114; and
 345 (B) obtain the approval of the Legislature as required by Section 63-38-3.5; and
 346 (j) conduct a market analysis by July 1, 2005, and periodically thereafter, of proposed
 347 rates and fees, which analysis shall include a comparison of the division's rates and fees with the fees of other
 348 public or private sector providers where comparable services and rates are reasonably available.

Representative D. Clark's motion to amend passed on a voice vote.

H.B. 30, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|------------|--------------|------------|-------------|
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|---------|------|
| Anderson | Dillree | King |
|----------|---------|------|

H.B. 30, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 41, HEALTH INSURANCE COVERAGE FOR DEPENDENTS, read the third time by short title and placed on its final passage.

Representative Buffmire proposed the following amendment:

1. Page 2, Line 37:

37 ~~(ii) does not [[include a point of service benefit subject to Section 31A-8-408.]]~~ offer a benefit that permits members the option of obtaining covered services from a non-contracted provider.

2. Page 3, Lines 59 through 60

59 (d) make payments on claims submitted in accordance with Subsection (2)(c) directly

60to the provider, custodial parent, the child who obtained benefits, or state Medicaid agency.

Representative Buffmire's motion to amend passed on a voice vote.

H.B. 41, as amended, then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|-----------|--------|
| Aagard | Adams | Alexander | Barrus |
| Becker | Bennion | Bigelow | Bird |

| | | | |
|------------|-----------|-------------|--------------|
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative Christensen

Absent or not voting were: Representatives

| | | | |
|----------|----------|----------|------|
| S. Allen | Anderson | Dillree | King |
| Pace | Philpot | Thompson | |

H.B. 41, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 189, TOBACCO COMPLIANCE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 189 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|------------|
| Aagard | Adams | Alexander | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |

| | | | |
|------------|-----------|-------------|--------------|
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|---------|----------|
| S. Allen | Anderson | Dillree | Hardy |
| Litvack | McGee | Philpot | Thompson |

H.B. 189 transmitted to the Senate for its consideration.

* * *

H.B. 14, REPEAL OF EDUCATION MANDATES, read the third time by short title and placed on its final passage.

H.B. 14 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-------------|---------|
| Anderson | Buffmire | Christensen | Philpot |
| Thompson | | | |

H.B. 14 transmitted to the Senate for its consideration.

* * *

H.J.R. 2, RESOLUTION OF LEGISLATIVE SUPPORT FOR MUSIC AND OTHER FINE ARTS PROGRAMS IN PUBLIC SCHOOLS, read the third time by short title and placed on its final passage.

H.J.R. 2 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|------|--------|
| Anderson | Dillree | Love | Morgan |
| Philpot | Thompson | | |

H.J.R. 2 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Murray, the House voted to uncircle **H.B. 24**.

H.B. 24, MOTOR VEHICLES CODE REVISIONS, was before the House on its final passage.

Representative Murray proposed the following amendment:

1. Page 8, Line 218:
Delete the House floor amendments inserted on line 218 dated January 21, 2004
2. Page 8, Lines 217 through 222

217 (c) (i) except as provided under Subsection (3)(c)(ii), the operator of a vehicle intending to turn left ~~[[shall]]~~ may not enter a two-way left turn

218 lane more than 500 feet prior to making the turn:(ii) if traffic in the two-way left turn lane extends beyond 500 feet, the operator of a vehicle intending to turn left shall enter the two-way left turn lane immediately upon reaching the last vehicle in the two-way left turn lane:

219 (d) the operator of a vehicle that has turned left into the two-way left turn lane may not

220 travel in the lane more than 500 feet unless the operator intends to turn left and Subsection (3)(c)(ii) applies; and

221 (e) the operator of a vehicle may not travel straight through an intersection in a

222 two-way left turn lane.

Representative Murray’s motion to amend passed on a voice vote.

H.B. 24, as amended, then passed on the following roll call:

Yeas, 64; Nays, 4; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |

| | | | |
|----------|--------------|------------|-------------|
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------|-------|--------|---------|
| Dayton | Ferry | Morley | G. Snow |
|--------|-------|--------|---------|

Absent or not voting were: Representatives

| | | | |
|----------|---------|----------|---------|
| Anderson | Bigelow | Buffmire | Dillree |
| Love | Philpot | Thompson | |

H.B. 24, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 52, INDIVIDUAL DEFERRED ANNUITIES – NONFORFEITURE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 52 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|--------|---------|
| Anderson | Barrus | Bryson | Dillree |
| Hansen | McGee | Morley | Philpot |
| Thompson | | | |

H.B. 52 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 22, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.C.R. 5 Resolution Urging Federal Tax Cuts to Be Made Permanent (Rep. C. Bennion)

EDUCATION

H.C.R. 2 Individuals with Disabilities Act Resolution (Rep. K. Holdaway)

S.B. 6 Refurbished Computers in Schools Program (Sen. H. Stephenson)

GOVERNMENT OPERATIONS

H.B. 205 State Settlement Agreements Amendments (Rep. W. Harper)

H.B. 213 Changes to Investment Advisory Committee (Rep. D. Clark)

H.J.R. 8 Resolution Authorizing the Legislature to Call Itself into Session (Rep. C. Bennion)

S.B. 4 Repeal of Cost-savings Suggestions Pilot Program (Sen. B. Evans)

S.B. 15 Carryover of Authorized Capital Outlay Amendments (Sen. B. Evans)

HEALTH AND HUMAN SERVICES

H.B. 60 Protection of Children in Foster Care (Rep. D. Litvack)

H.B. 200 Recognition of Foreign Adoptions (Rep. W. Harper)

JUDICIARY

H.B. 82 Virtual Visitation Amendments (Rep. D. Aagard)

- H.B. 194** Commission on Criminal and Juvenile Justice
Membership (Rep. R. McGee)
- H.C.R. 3** Resolution Urging Protection of United States from
Weapons of Mass Destruction (Rep. C. Bennion)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 81** Criminal Law Intent Amendment (Rep. T. McCartney)
- H.B. 210** Law Enforcement Employee Background Checks
(Rep. L. Pace)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 71** Water Conservation Plans (Rep. J. Buffmire)

RETIREMENT AND INDEPENDENT ENTITIES

- H.B. 53** Additional State Retirement Benefit (Rep. L. Shurtliff)
- H.C.R. 4** Resolution Encouraging Lifetime and Retirement Savings
Accounts (Rep. C. Bennion)

Marda Dillree, Chair

Report filed. On motion of Representative Curtis, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 5:45 p.m.

JOINT CONVENTION

President of the Senate Al Mansell called the Joint Convention to order at 5:55 p.m.

President Mansell appointed a Joint Committee comprised of Senators Michael Waddoups, John Valentine, and Mike Dmitrich, and Representatives Greg Curtis, Jeff Alexander, and Brent Goodfellow to notify Governor Olene S. Walker that the Fifty-fifth Legislature is in Joint Convention and ready to hear her State-of-the-State Address.

On motion of Senator Peter Knudson, the Joint Convention resolved itself into a Committee of the Whole for the purpose of hear Governor Olene S. Walker's State-of-the-State Address.

The Joint Committee escorted Her Excellency, Governor Olene S. Walker, and First Gentleman, Myron Walker, to the House Chamber and presented them to the Joint Convention.

On motion of Representative Styler, the Joint Convention voted to have the complete text of the Governor Walker's State-of-the-State Address printed upon the pages of the Senate Journal.

Representative Styler also moved that the Committee of the Whole be dissolved and that the House and Senate be adjourned until 10:00 a.m. Friday, January 23, 2004.

FIFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Dana C. Love.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 22, 2004

The Senate passed, as amended, **S.B. 10**, AMENDMENTS TO LOCAL REFERENDUM PROCESS, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed **S.B. 17**, REAUTHORIZATION OF ENERGY POLICY TASK FORCE, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 18**, MUNICIPAL ANNEXATION PROVISIONS IN FIRST CLASS COUNTIES, by Senator P. Arent, and it is transmitted for consideration; and

The Senate passed **S.B. 27**, TELEPHONE AND FACSIMILE SOLICITATION ACT, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed **S.B. 67**, DESIGNATION OF AMERICAN INDIAN HERITAGE MONTH AND AN INDIGENOUS PEOPLE DAY, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 11**, GUIDELINES FOR LOCAL MATCHING DOLLARS FOR TRANSPORTATION PROJECTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 85**, POLITICAL ACTIVITIES OF PUBLIC ENTITIES AMENDMENTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.C.R. 3**, RESOLUTION SUPPORTING HILL AIR FORCE BASE, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 77**, EXPANSION OF NEW MOTOR VEHICLE WARRANTIES, by Senator P. Arent, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 10, S.B. 17, S.B. 18, S.B. 27, S.B. 67, S.B. 11, S.B. 85, S.C.R. 3, and S.B. 77**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 22, 2004

The Government Operations Committee reports a favorable recommendation on **H.B. 67**, CULTURAL AFFAIRS TASK FORCE, by Representative S. Allen, et al.

James A. Ferrin, Chair

Report filed. On motion of Representative Ferrin, the report of the Government Operations committee was adopted.

H.B. 67, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 22, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 75**, INDUSTRIAL ASSISTANCE FUND AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 4, Lines 100 through 112

100 (ii) The value of the credits described in Subsection (3)(a)(i) shall
101 be based on factors

101 determined by the administrator, including:

102 (A) the number of Utah jobs created;

103 (B) the increased economic activity in Utah; [~~and~~] or

104 (C) other events and activities that occur as a result of the fund
assistance.

105 (b) (i) The administrator shall provide for a system of credits to be
used to support

106 grant payments or in lieu of cash repayment of a fund loan when
loans are made to a company

107 creating an economic impediment.

108 (ii) The value of the credits described in Subsection (3)(b)(i) shall
be based on factors

109 determined by the administrator, including:

110 (A) the number of Utah jobs created;

111 (B) the increased economic activity in Utah; ~~[[and]]~~ or

112 (C) other events and activities that occur as a result of the fund
assistance.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce
Services and Community and Economic Development committee was adopted.

H.B. 75, as amended, read the second time by short title and placed on the
calendar for third reading.

* * *

Mr. Speaker:

January 22, 2004

The Political Subdivisions Committee reports a favorable recommendation
on **H.B. 181**, FLUORINE COST REQUIREMENTS, by Representative
M. Morley, with the following amendments:

1. Page 1, Lines 13 through 19:

13 This bill:

14 ► requires that local governments obtain estimates about the cost
of adding fluorine to

15 a water system from the petition sponsors and adopt those estimates
before authorizing the election ~~[[is held]]~~ to determine whether or not to
add

16 fluorine;

17 ► ~~[[requires the local government to allow citizens time to qualify
an initiative petition~~

18 ~~that revokes authority to add fluorine to the water system]]~~ when
the cost of adding

19 fluorine to the water system exceeds the original cost estimate by
more than ~~[[10%]]~~ 25% , authorizes the local government to cancel the
decision to add fluorine to the water system, resubmit the question of
adding fluorine to the water system to the voters; or inform the voters of
their right to seek an initiative petition cancelling the decision to add
fluorine to the water system ;

2. Page 2, Lines 42 through 43:

42 (c) (i) "Total cost estimate" means the estimated one-time and
ongoing expenditures

43 that must be made to a water system in order to add fluorine based
on available information .

3. Page 3, Lines 69 through 79:

69 (3) (a) Within 20 days after an initiative petition seeking the
addition of fluorine to a

70 public water system is declared qualified for the ballot, the sponsors
of the initiative petition

71 shall file a total cost estimate with the governing body.

72 (b) (i) Within ~~[[20]]~~ 30 days after passage of a resolution placing on
the ballot the question of

73 whether or not fluorine should be added to the public water supply,
the county legislative body,

74 the municipal legislative body, or the special district board that has
jurisdiction over the water

75 system shall adopt, by resolution, a total cost estimate estimating
the total cost of adding

76 fluorine to the water system.

77 (ii) If the county legislative body, municipal legislative body, or the
special district

78 board fails to file the cost estimate within ~~[[20]]~~ 30 days, the county
clerk, municipal clerk, or special

79 district clerk may not place the issue on the ballot.

4. Page 3, Line 88 through Page 4, Line 110:

88 ~~(5) [(a)]~~ If, after the voters approve the addition of fluorine to the water supply, the

89 governing body determines that the total cost of adding fluorine to the water supply will exceed

90 the cost estimate by ~~[[10%]] 25% or more, the governing body~~ ~~[[shall, in a public meeting and by a press~~

91 release:

92 (i) inform the voters that the estimated actual cost of adding fluorine to the water

93 system has exceeded the total cost estimate:

94 (ii) inform the voters of the new total cost estimate of adding fluorine to the water

95 system; and

96 (iii) inform the voters that they may file an initiative petition to cancel the decision to

97 add fluorine to the water system.

98 (b) If, within six months of the public meeting where the new total cost estimate of

99 adding fluorine to the water system is announced, no initiative petition has qualified for the

100 ballot, the governing body may proceed to add fluorine to the water system.] may, in a public meeting:

(a) direct that all efforts to add fluorine to the water be ceased immediately because of the increased cost;

(b) direct that the question of whether or not to add fluorine to the water be submitted to the voters for a new vote because of the increased cost; or

(c) inform the voters that they may file an initiative petition to cancel the decision to add fluorine to the water system.

101 ~~[(3)] (6)~~ Nothing contained in this section prohibits the addition of chlorine or other

102 water purifying agents.

103 ~~[(4)] (7)~~ Any political subdivision which, prior to ~~[[November 2, 1976]]~~ December 31, 2003 , decided to and

104 was adding fluorine or any of its derivatives or compounds to the drinking water is considered

105 to have complied with Subsection [(4)] (2), (3), and (5) .

106 [(5)] (8) [[H]] Notwithstanding subsection (5)(c), in an election held pursuant to Subsections [(4)] (2)(b)(i), (ii), or (iii), where a

107 majority of the voters approve the addition to or removal of fluorine from the public water

108 supplies, no election to consider removing fluorine from or adding fluorine to the public water

109 supplies shall be held for a period of four years from the date of approval by the majority of

110 voters beginning with elections held in November 2000.

Kory M. Holdaway, Chair

Report filed. On motion of Representative Holdaway, the report of the Political Subdivisions committee was adopted.

H.B. 181, as amended, read the second time by short title and placed on the calendar for third reading.

RULES COMMITTEE REPORTS

Mr. Speaker:

January 22, 2004

The Rules Committee reports a favorable recommendation on **H.J.R. 4**, JOINT RULES RESOLUTION – APPROPRIATION PROCESS REVISIONS, by Representative W. Harper; and

The Rules Committee reports a favorable recommendation on **H.J.R. 5**, JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE MEETINGS, by Representative K. Morgan, with the following amendments:

1. Page 1, Lines 8 through 9:

8 General Description:

9 This bill [[requires that]] allows appropriations subcommittees to meet [[monthly]] three times during the interim.

2. Page 1, Lines 11 through 15:

11 This resolution:

12 ► [[requires that]] allows appropriations subcommittees to meet [[monthly]] three times from April through

- 13 November; and
- 14 ► directs the Legislative Management Committee to set the ~~[[date each month]]~~ dates when
- 15 they will meet.
3. Page 1, Lines 25 through 27:
- 25 (1) In addition to the regular interim committees, appropriation subcommittees ~~[[shall]]~~ may
- 26 ~~[also]~~ meet ~~as~~ ~~[[each month]]~~ three times from April through November on the ~~[[date]]~~ dates determined by the
- 27 Legislative Management Committee.
4. Page 2, Lines 28 through 34:
- 28 (2) During each interim, the appropriation subcommittee~~[[shall]]~~ may :
- 29 (a) schedule and conduct ~~[[an in-depth]]~~ a review of ~~[[each agency or program]]~~ agencies and programs for which the
- 30 appropriation subcommittee makes budget recommendations to the Executive Appropriations
- 31 Committee;
- 32 (b) make recommendations to the Legislative Fiscal Analyst~~[[;]]~~ and the Executive
- 33 Appropriations Committee~~[[, the governor, and the Governor's Office of Planning and Budget]]~~
- 34 about an agency or program budget;
- and

The Rules Committee recommends **H.R. 1**, HOUSE RULES RESOLUTION – ACCESS TO HOUSE FLOOR, by Representative R. Bigelow, be replaced and reports a favorable recommendation on **1st Sub. H.R. 1**, HOUSE RULES RESOLUTION – ACCESS TO HOUSE FLOOR with the following amendments:

1. Page 3, lines 57–58:
After “interns,” reinstate “former legislators who are not lobbyists,”
2. Page 3, line 59:
After “lieutenant” insert “governor”

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules committee were adopted.

H.J.R. 4, H.J.R. 5, and Sub. H.R. 1, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 99, Common Interest Ownership Act (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 100, School Professional Development Days (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 101, Mental Health Services Coordinator (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 102, Residential Mortgage Practices Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 103, Special District for Police Services (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.B. 104, Filing and Perfecting of Water Rights (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 233, Grazing Permit Fee Amendments (E. Anderson), read the first time by short title and referred to the Rules Committee.

H.B. 234, Sunset Extension on Unauthorized Practice of Law (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 235, Turkey Hunting Permits (D. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 236, Families, Agencies, and Communities Together Amendments (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 237, Department of Corrections – Therapy Provider Qualifications (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 238, Workers' Compensation Access to Medical Records (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.C.R. 6, Resolution Opposing Internet Access Taxes (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.C.R. 7, Resolution Recognizing Legislators Back to School Week (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.J.R. 9, Resolution Supporting Efforts to End Homelessness (D. Clark), read the first time by short title and referred to the Rules Committee.

UNFINISHED BUSINESS

On motion of Representative LaVar Christensen, the House voted to uncircle **H.B. 34**.

On motion of Representative Christensen, the House voted to delete **H.B. 34** in title and body and insert **Sub. H.B. 34** in lieu thereof.

1st Sub. H.B. 34, UNLAWFUL CONTROLLED SUBSTANCES IN CORRECTIONAL FACILITIES, was before the House on its final passage.

Sub. H.B. 34 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|-----|--------|
| Alexander | Barrus | Dee | Gowans |
| Litvack | McCartney | | |

Sub. H.B. 34 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 9, ABSENTEE BALLOT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Aagard, the House voted to circle **H.B. 9**.

* * *

H.B. 175, PROCESS FOR FILLING MIDTERM VACANCIES IN THE LEGISLATURE, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **H.B. 175**.

* * *

H.B. 40, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, read the third time by short title and placed on its final passage.

On motion of Representative Frank, the House voted to circle **H.B. 40**.

* * *

H.B. 57, AMENDMENTS TO BUDGETARY PROCEDURES ACT, read the third time by short title and placed on its final passage.

H.B. 57 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |

| | | | |
|----------|---------|----------|-------------|
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-------------|----------|-----------|
| Hendrickson | Lockhart | McCartney |
|-------------|----------|-----------|

H.B. 57 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **H.B. 175**.

H.B. 175, PROCESS FOR FILLING MIDTERM VACANCIES IN THE LEGISLATURE, was before the House on its final passage.

H.B. 175 then passed on the following roll call:

Yeas, 43; Nays, 29; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|--------------|-------------|
| Aagard | Adams | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| Curtis | Dayton | Dillree | Donnelson |
| Dunnigan | Ferrin | Frank | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Kiser | Last | Lawrence | Lockhart |
| Love | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Seitz |
| Ure | Urquhart | Wallace | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|-------------|
| Alexander | S. Allen | Anderson | Becker |
| Biskupski | Bourdeaux | Buffmire | Christensen |
| D. Cox | Daniels | Dee | Dougall |
| Duckworth | Ferry | Hogue | Jones |
| King | Litvack | Mascaro | McGee |

| | | | |
|-------------|--------|----------|-----------|
| Morgan | Moss | Pace | Shurtliff |
| G. Snow | Styler | Thompson | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | |
|--------|------------|-----------|
| Barrus | Goodfellow | McCartney |
|--------|------------|-----------|

H.B. 175 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 191, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 191 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-------------|-----------|
| Barrus | Dillree | Hendrickson | McCartney |
| Philpot | Seitz | Ure | |

H.B. 191 transmitted to the Senate for its consideration.

* * *

H.B. 184, VOYEURISM AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Goodfellow proposed the following amendment:

1. Page 2, Line 48:
Refer to the committee amendments.
Delete “for the purpose of intentionally” and insert “with the intent of”

Representative Goodfellow’s motion to amend passed on a voice vote.

H.B. 184, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-------------|-----------|
| Becker | Dillree | Hendrickson | McCartney |
| Philpot | | | |

H.B. 184, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 193, COMMISSION ON CRIMINAL AND JUVENILE JUSTICE, read the third time by short title and placed on its final passage.

H.B. 193 then passed on the following roll call:

Yeas, 58; Nays, 15; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Hansen | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-----------|-------------|
| Becker | Biskupski | Buffmire | Daniels |
| Duckworth | Goodfellow | Gowans | Hendrickson |
| King | Litvack | McCartney | McGee |
| Morgan | Moss | Shurtliff | |

Absent or not voting were: Representatives

| | |
|-----------|---------|
| Bourdeaux | Philpot |
|-----------|---------|

H.B. 193 transmitted to the Senate for its consideration.

* * *

H.B. 62, LIEN RECOVERY FUND AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Webb proposed the following amendment:

1. Page 15, Lines 431 through 448

43 [(8) (9)] The requirements of [~~Subsection (3)(a)(i)] Subsections (4)(a) and (4)(b) may~~

432 be satisfied if [~~a claimant~~] an owner or agent of the owner establishes to the satisfaction of the

433 director that the owner of the owner-occupied residence or the
owner's agent entered into a

434 written contract with an original contractor who:

435 (a) was a business entity that was not licensed under Title 58,
Chapter 55, Utah

436 Construction Trades Licensing Act, but was solely or partly owned
by an individual [that] who

437 was licensed under Title 58, Chapter 55, Utah Construction Trades
Licensing Act [~~], or was the~~

438 alter ego of the individual that was licensed under Title 58, Chapter
55, Utah Construction

439 Trades Licensing Act]; or

440 (b) was a natural person who was not licensed under Title 58,
Chapter 55, Utah

441 Construction Trades Licensing Act, but who was the sole or partial
owner and qualifier of a

442 business entity that was licensed under Title 58, Chapter 55, Utah
Construction Trades

443 Licensing Act[.] [~~], or was the alter ego of the business entity that~~
~~was licensed under Title 58.~~

444 Chapter 55, Utah Construction Trades Licensing Act].

Representative Webb's motion to amend passed on a voice vote.

H.B. 62, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |

| | | | |
|--------------|------------|-----------|-------------|
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|------------|----------|
| Bourdeaux | Buttars | Goodfellow | Lockhart |
| Moss | Styler | Ure | |

H.B. 62, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 65, TUITION WAIVER FOR PURPLE HEART RECIPIENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to circle **H.B. 65**.

* * *

H.B. 46, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, read the third time by short title and placed on its final passage.

On motion of Representative Shurtliff, the House voted to circle **H.B. 46**.

* * *

Sub. H.B. 47, ELEMENTARY SCHOOL VENDING MACHINE SALES, read the third time by short title and placed on its final passage.

On motion of Representative Last, the House voted to circle **Sub. H.B. 47**.

* * *

H.B. 186, EVALUATION AND COUNSELING PRIOR TO TERMINATION PROCEEDINGS, read the third time by short title and placed on its final passage.

H.B. 186 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|--------|---------|
| Becker | Dillree |
|--------|---------|

H.B. 186 transmitted to the Senate for its consideration.

* * *

H.B. 10, STATE HIGHWAY SYSTEM CHANGES, read the third time by short title and placed on its final passage.

H.B. 10, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|-------------|
| Adams | Alexander | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |

| | | | |
|-------------|-----------|------------|--------------|
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|--------|---------|
| Agard | S. Allen | Bryson | Dillree |
| Lockhart | Morley | | |

H.B. 10, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 178, MOTOR VEHICLE PURCHASE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 178 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |

| | | | |
|----------|----------|-------------|-----------|
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative
Harper

Absent or not voting were: Representatives

| | | | |
|-----------|---------|----------|----------|
| S. Allen | Dillree | Dunnigan | Lockhart |
| McCartney | Morley | Styler | |

H.B. 178 transmitted to the Senate for its consideration.

* * *

H.B. 190, RESTRICTING WIRELESS TELEPHONE USE FOR SCHOOL BUS DRIVERS, read the third time by short title and placed on its final passage.

Representatives Hendrickson and Bennion declared conflicts of interest due to employment.

H.B. 190 then passed on the following roll call:

Yeas, 48; Nays, 26; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| S. Allen | Anderson | Barrus | Becker |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | Curtis | Daniels | Dee |
| Dillree | Dougall | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Pace | Seitz | Shurtliff |
| G. Snow | Ure | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|---------|--------|-----------|----------|
| Agard | Adams | Alexander | Bennion |
| Bigelow | Bird | D. Clark | S. Clark |
| D. Cox | Dayton | Donnelson | Ferrin |
| Frank | Harper | Hughes | Last |

| | | | |
|----------|----------|---------|----------|
| Lockhart | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Thompson |
| Urquhart | Webb | | |

Absent or not voting was: Representative
Styler

H.B. 190 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 23, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

S.B. 27 Telephone and Facsimile Solicitation Act
(Sen. D. Thomas)

EDUCATION

H.C.R. 7 Resolution Recognizing Legislators Back to School Week
(Rep. K. Holdaway)

GOVERNMENT OPERATIONS

H.J.R. 3 Resolution Urging Congress to Consider Withdrawing the
United States from the United Nations (Rep. D. Bush)

S.B. 8 Local Referendum Amendments (Sen. B. Evans)

S.B. 10 Amendments to Local Referendum Process
(Sen. J. Hickman)

S.B. 85 Political Activities of Public Entities Amendments
(Sen. D. Thomas)

POLITICAL SUBDIVISIONS

S.B. 18 Municipal Annexation Provisions in First Class Counties
(Sen. P. Arent)

PUBLIC UTILITIES AND TECHNOLOGY

S.B. 17 Reauthorization of Energy Policy Task Force
(Sen. L. Blackham)

RETIREMENT AND INDEPENDENT ENTITIES

H.R. 5 Resolution Urging Congress to Pass Social Security
Retirement Account Legislation (Rep. M. Morley)

- H.R. 6** Resolution Urging Congress to Pass Lifetime and Retirement Savings Account Legislation
(Rep. M. Morley)

TRANSPORTATION

- H.B. 208** Regulation of Motorized Scooters (Rep. B. Dee)
S.B. 11 Guidelines for Local Matching Dollars for Transportation Projects (Sen. C. Walker)
S.B. 77 Expansion of New Motor Vehicle Warranties (Sen. P. Arent)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

- S.B. 67** Designation of American Indian Heritage Month and an Indigenous People Day (Sen. B. Evans)
S.C.R. 3 Resolution Supporting Hill Air Force Base (Sen. D. Thomas); and

Mr. Speaker: January 23, 2004

The Rules Committee recommends that, under suspension of the rules, the following bill be considered read for the second time and placed on the Third Reading Calendar:

- H.B. 13** Hazardous Waste and Nonhazardous Solid Waste Fee and Tax Amendments (Rep. E. Anderson); and

Mr. Speaker: January 23, 2004

The House Rules Committee recommends, with written request of the sponsor, that **H.C.R. 6**, Resolution Opposing Internet Access Taxes (Rep. C. Bennion), be replaced with **1st Sub. H.C.R. 6**, Resolution Opposing Internet Access Taxes (Rep. C. Bennion), and further recommends it be assigned to the Revenue and Taxation Standing Committee.

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 26, 2004, at 10:00 a.m.

EIGHTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Brad Johnson, excused.

Pledge of Allegiance and prayer by Representative Ann W. Hardy.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 22, 2004

The Senate passed, as amended, **S.B. 13**, RESORT COMMUNITIES TAX AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 9**, PROPERTY RIGHTS AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 30**, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 87**, DRIVER LICENSE CERTIFICATE AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 68**, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, by Senator C. Bramble, et al, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 13**, **S.B. 9**, **S.B. 30**, **S.B. 87**, and **Sub. S.B. 68**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 23, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 204**, PUBLIC UTILITIES REVISIONS, by Representative G. Curtis.

Stephen H. Urquhart, Chair

Report filed. On motion of Representative Urquhart, the report of the Public Utilities and Technology committee was adopted.

H.B. 204, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 23, 2004

The Health and Human Services Committee recommends **H.B. 54**, VIDEOTAPE OF MINORS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 54**, VIDEOTAPE OF MINORS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 183**, CONDITIONS FOR RELEASE AFTER NOTICE REGARDING ARREST FOR DOMESTIC VIOLENCE, by Representative P. Wallace; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 197**, LIMIT ON CHILD WELFARE RECOMMENDATIONS AND RULINGS, by Representative M. Thompson, with the following amendments:

1. Page 1, Line 27 through Page 2, Line 34:

27 (1) Except as provided in Subsection (2), no agency may
 28 recommend or rule on the

29 custody, placement, including foster placement, or other
 30 disposition alternative for a minor, or

31 the termination of parental rights, based on the fact that a parent or
 32 guardian of the minor

33 lawfully does one or more of the following:

34 (a) legally possesses or uses a firearm or other weapon;

35 (b) espouses particular religious beliefs ~~[[or engages in particular~~
 36 ~~religious practices]]~~; or

33 (c) schools the minor or other minors outside the public education system or is

34 otherwise sympathetic to schooling a minor outside the public education system.

2. Page 2, Lines 40 through 47:

40 (1) Except as provided in Subsection (2), no court may rule on the custody, placement,

41 including foster placement, or other disposition alternative for a minor, or the termination of

42 parental rights, based on the fact that a parent or guardian of the minor lawfully does one or

43 more of the following:

44 (a) legally possesses or uses a firearm or other weapon;

45 (b) espouses particular religious beliefs [[or engages in particular religious practices]]; or

46 (c) schools the minor or other minors outside the public education system or is

47 otherwise sympathetic to schooling a minor outside the public education system; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 29**, UTAH TELEHEALTH COMMISSION AMENDMENTS, by Representative B. Dee, with the following amendments:

1. Page 1, Line 10:
Delete "Healthcare" and insert "Health Service"
2. Page 1, Line 14:
Delete "Healthcare" and insert "Health Service"
3. Page 2, Line 29:
Delete "HEALTHCARE" and insert "HEALTH SERVICE"
4. Page 2, Line 31:
Delete "Healthcare" and insert "Health Service"
5. Page 2, Line 35:
Delete "Healthcare" and insert "Health Service"
6. Page 2, Line 40:
Delete "Healthcare" and insert "Health Service"

7. Page 2, Line 41:
Delete "Healthcare" and insert "Health Service"
8. Page 4, Line 91:
Delete "Healthcare" and insert "Health Service"

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

Sub. H.B. 54, H.B. 183, H.B. 197, as amended, and **H.B. 29**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 23, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 192**, REPEAL OF THRIFTS SETTLEMENT FINANCING PROVISIONS, by Representative G. Curtis, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 209**, LICENSING OF PLUMBING AND ELECTRICAL TRADES, by Representative S. Clark; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 187**, VIATICAL SETTLEMENT ACT, by Representative J. Dunnigan, with the following amendments:

1. Page 2, Lines 37 through 43:
 - 37 (b) If an applicant complies with Subsection (2)(a), the commissioner shall investigate
 - 38 the applicant and issue a license if the commissioner finds that the applicant:
 - 39 (i) is competent[[,]] to engage in the business of providing viatical settlements by experience, training, or education; and
 - (ii) is trustworthy[[, and intends to act in good faith as a provider of viatical
 - 40 settlements;
 - 41 (ii) has a good business reputation; and
 - 42 (iii) has had experience, training, or education so as to be qualified as a provider of

- 43 ~~viatical settlements.~~] in that the applicant or any officer, partner, member, or key management employee of the applicant:
- (A) has not engaged in an act or practice specified in Subsections (3)(a) through (e); or
- (B) has not been subject to a regulatory action by another state or federal jurisdiction; and

The Business and Labor Committee recommends **H.B. 195**, CONSUMER PROTECTION AMENDMENTS, by Representative S. Allen, be replaced and reports a favorable recommendation on **1st Sub. H.B. 195**, CONSUMER PROTECTION AMENDMENTS with the following amendments:

1. Page 9, line 262:
After “institution” insert “: (A)”
2. Page 9, line 262:
After “7-1-103;” insert “or (B) that is regulated or supervised by the Federal Depository Insurance Corporation and the National Credit Union Association;”
3. Page 8, line 233
Delete “\$1,000” and insert “\$2,500”
4. Pages 6-7, Lines 178-182:
Delete lines 178-182 and insert:
“(s) solicits or enters into a consumer transaction with a person who lacks the mental ability to comprehend the nature and consequences of:
(i) the consumer transaction; or
(ii) the person’s ability to benefit from the consumer transaction.”

Katherine M. Bryson, Chair

Report filed. On motion of Representative Bryson, the report of the Business and Labor committee was adopted.

H.B. 192, read the second time by short title and placed on the Consent Calendar.

H.B. 209, **H.B. 187**, as amended, and **Sub. H.B. 195**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 23, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 81**, CRIMINAL LAW INTENT AMENDMENT, by Representative T. McCartney; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 210**, LAW ENFORCEMENT EMPLOYEE BACKGROUND CHECKS, by Representative L. Pace.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 81 and **H.B. 210**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 23, 2004

The Judiciary Committee reports a favorable recommendation on **H.B. 7**, MARRIAGE PREPARATION EDUCATION, by Representative R. McGee, with the following amendments:

1. Page 2, Lines 56 through 58:
 - (ii) The fee authorized by this Subsection (2) (b) shall be waived if the requirements of Section 30-1-34 are met. If the fee is waived, the county is not required to transmit \$20 of the marriage license fee to the Division of Finance.
2. Page 3, Line 88 through Page 4, Line 93:

that it was received.

(a) The premarital education shall be provided by :

 - (i) a licensed or ordained minister or the minister’s designee[[.]];
 - (ii) a person authorized to solemnize marriages under [[Section]] Subsection 30-1-6 (a) or (b); [[.]] or
 - (iii) a person who practices marriage and family therapy and is licensed under Title 58, Chapter 60.

Part 2, Social Worker Licensing Act; Part 3, Marriage and Family Therapist Licensing Act; Part 4, Professional Counselor Licensing Act;
or
Title 58, Chapter 61, Psychologist Licensing Act.
3. Page 4, Line 106:

After: “skills” insert “including an understanding of what constitutes domestic abuse”; and

The Judiciary Committee reports a favorable recommendation on **H.B. 72**, RELEASE OF CLAIMS ON BEHALF OF A MINOR, by Representative J. Dougall; and

The Judiciary Committee reports a favorable recommendation on **H.B. 82**, VIRTUAL VISITATION AMENDMENTS, by Representative D. Aagard, with the following amendments:

1. Page 2, Line 49:
After "messaging," insert "television with videophone."
2. Page 2, Line 50:
After "media," delete "including a television with DSL cable."
3. Page 2, Line 52:
After "replace," delete "regular" and insert "in-person"
4. Page 3, Line 88:
After "encourage" delete "liberal" and insert "reasonable"
5. Page 9, Line 265:
After "contact" delete "or" and insert "and"

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.B. 7, as amended, **H.B. 72**, and **H.B. 82**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 26, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 64**, AMENDMENTS TO LOCAL OPTION SALES TAX FOR MUNICIPALITIES, by Representative S. Allen, et al; and

The Revenue and Taxation Committee recommends **H.B. 27**, INDIVIDUAL INCOME TAX AMENDMENTS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 27**, TAX COMMISSION REPORT – FEDERAL TAX LAW CHANGES and that the bill be considered to have been read a first and second time.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 64 and **Sub. H.B. 27**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 105, Continuing Education for Contractors (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 106, Health Insurance Act Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 239, Sexually Explicit Business and Escort Service Tax (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 240, Revenue and Taxation – Offenses and Penalties (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 243, Water Rights Task Force (M. Styler), read the first time by short title and referred to the Rules Committee.

H.C.R. 1, Resolution Urging Open Space along Jordan River Trail (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.J.R. 10, Joint Resolution Reaffirming the State of Utah’s Commitment to the Constitution and the Bill of Rights (S. Allen), read the first time by short title and referred to the Rules Committee.

H.J.R. 11, Resolution Urging a Study on Statewide Uniform Fees Imposed on Motor Homes (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 55, SCHOOL INSTITUTIONAL TRUST LAND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 55 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-----------|-------------|--------------|-----------|
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|-------|--------|
| Bourdeaux | B. Johnson | McGee | Styler |
| Ure | | | |

H.B. 55 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 51, NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS, read the third time by short title and placed on its final passage.

On motion of Representative Bowman, the House voted to circle **H.B. 51**.

* * *

H.B. 201, TRAFFIC SIGNAL PREEMPTION DEVICE, read the third time by short title and placed on its final passage.

H.B. 201 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |

| | | | |
|----------|-----------|-------------|--------------|
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|------------|--------|-----|
| B. Johnson | Styler | Ure |
|------------|--------|-----|

H.B. 201 transmitted to the Senate for its consideration.

* * *

H.B. 203, SPECIAL GROUP LICENSE PLATE, read the third time by short title and placed on its final passage.

H.B. 203 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |

| | | | |
|----------|-----------|----------|-------------|
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|------------|--------|-----|
| B. Johnson | Styler | Ure |
|------------|--------|-----|

H.B. 203 transmitted to the Senate for its consideration.

* * *

H.B. 58, TRUST LANDS ADMINISTRATION, read the third time by short title and placed on its final passage.

H.B. 58 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|------------|--------|-----|
| B. Johnson | Styler | Ure |
|------------|--------|-----|

H.B. 58 transmitted to the Senate for its consideration.

* * *

H.B. 80, WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS, read the third time by short title and placed on its final passage.

H.B. 80 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|------------|--------|-----|
| Dayton | B. Johnson | Styler | Ure |
|--------|------------|--------|-----|

H.B. 80 transmitted to the Senate for its consideration.

* * *

H.B. 73, PATTERN OF UNLAWFUL ACTIVITY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 73 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|--------------|-----------|-------------|-------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|--------|-------------|------------|
| Dillree | Ferrin | Hendrickson | B. Johnson |
| Philpot | Styler | Ure | |

H.B. 73 transmitted to the Senate for its consideration.

* * *

H.B. 180, DEATH PENALTY PROVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 180**.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Chris Cannon.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

UNFINISHED BUSINESS

On motion of Representative Allen, the House voted to uncircle **H.B. 180**.

H.B. 180, DEATH PENALTY PROVISIONS, was before the House on its final passage.

Representative Morley proposed the following amendment:

1. Page 1, Line 11

11 ► repeals references to the use of a firing squad, and makes the repeal retroactive; ~~[[and]]~~

2. Page 1, Line 14:

14 be so executed ; and

► provides for execution by firing squad if execution by lethal injection is found to be unconstitutional .

3. Page 3, Lines 62 through 64:

62 (4) Notwithstanding Subsection (3), if a ~~[[final judgment]]~~ court holds that a defendant has a

63 right to be executed by a firing squad, the ~~[[court shall issue another death warrant under Section~~

64 ~~77-19-6 specifying the method of execution as]]~~ method of execution for that defendant shall be a firing squad. This Subsection (4) applies to

4. Page 3, Line 65:

65 any defendant whose right to be executed by a firing squad is preserved by that ~~[[final]]~~ judgment.

(5)(a) If a court holds that execution by lethal injection is unconstitutional on its face, the method of execution shall be a firing squad.

(b) If a court holds that execution by lethal injection is unconstitutional as applied, the method of execution for that defendant shall be a firing squad.

Representative Morley's motion to amend passed on the following roll call:

Yeas, 38; Nays, 33; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-----------|-------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | Curtis | Dayton |
| Donnelson | Dougall | Ferry | Frank |

| | | | |
|---------|-------------|----------|----------|
| Harper | Holdaway | Hughes | Kiser |
| Last | Lockhart | Love | Mascaro |
| Morley | Noel | Peterson | Philpot |
| G. Snow | Thompson | Ure | Urquhart |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|-----------|-----------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Buffmire | Buxton | Daniels |
| Dee | Dillree | Duckworth | Dunnigan |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Jones | King |
| Lawrence | Litvack | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Pace | Seitz | Shurtliff | Styler |
| Wallace | | | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|--------------|------------|
| D. Cox | Ferrin | E. Hutchings | B. Johnson |
|--------|--------|--------------|------------|

H.B. 180, as amended, then passed on the following roll call:

Yeas, 57; Nays, 15; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | Jones |
| King | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Ure | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|----------|---------|
| Bryson | Buffmire | Bush | Daniels |
| Dayton | Donnelson | Frank | Hughes |
| Kiser | Last | Morley | Noel |
| Philpot | Thompson | Urquhart | |

Absent or not voting were: Representatives

| | | |
|--------|------------|--------|
| Ferrin | B. Johnson | Styler |
|--------|------------|--------|

H.B. 180, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 67, CULTURAL AFFAIRS TASK FORCE, read the third time by short title and placed on its final passage.

H.B. 67 then passed on the following roll call:

Yeas, 65; Nays, 4; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Seitz | G. Snow |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|---------|----------|
| Donnelson | Peterson | Philpot | Thompson |
|-----------|----------|---------|----------|

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------------|----------|
| Bennion | Ferrin | B. Johnson | Lockhart |
| Shurtliff | Styler | | |

H.B. 67 transmitted to the Senate for its consideration.

* * *

H.B. 75, INDUSTRIAL ASSISTANCE FUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 75, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|-------------|---------|--------|
| Bourdeaux | Christensen | Dillree | Ferrin |
| B. Johnson | Litvack | Philpot | Styler |

H.B. 75, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 181, FLUORINE COST REQUIREMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to circle **H.B. 181**.

* * *

H.J.R. 4, JOINT RULES RESOLUTION – APPROPRIATION PROCESS REVISIONS, read the third time by short title and placed on its final passage.

Representative Bennion proposed the following amendment:

1. Page 7, Lines 193 through 213

193 ~~(2) [(a)]~~ The President of the Senate shall appoint three members of the 15 members as

194 follows:

195 ~~[(i)]~~ (a) one member of the majority party as Senate chair of the committee; and

196 ~~[(ii)]~~ (b) two members of the minority party.

197 ~~[(b) The Senate chairs of the following appropriation subcommittees are ex officio~~

198 voting members of the Joint Budget Interim Committee:

199 (i) Capital Facilities and Administrative Services;

200 (ii) Commerce and Revenue;

201 (iii) Economic Development and Human Resources; and

202 (iv) Executive Offices and Criminal Justice.]]

203 ~~(3) [(a)]~~ The Speaker of the House shall appoint three members of the 15 members as

204 follows:

205 ~~[(i)]~~ (a) one member of the majority party as House chair of the committee; and

206 ~~[(ii)]~~ (b) two members of the minority party.

207 ~~[(b) The House chairs of the following appropriation subcommittees are ex officio~~

208 voting members of the Joint Budget Interim Committee:

209 (i) Health and Human Services;

210 (ii) Higher Education;

211 (iii) Natural Resources;

212 (iv) Public Education; and

213 (v) Transportation, Environmental Quality, and National Guard.]]

(4) The House or Senate chair who has served on each of the following appropriation subcommittees for the longest time is an ex officio voting member of the Joint Interim Budget Committee:

- (a) Capital Facilities and Administrative Services;
- (b) Commerce and Revenue;
- (c) Economic Development and Human Resources;
- (d) Executive Offices and Criminal Justice;
- (e) Health and Human Services;
- (f) Higher Education;
- (g) Natural Resources;
- (h) Public Education; and
- (i) Transportation, Environmental Quality, and National Guard.

2. Page 8, Line 214:

214 ~~[(4)]~~ (5) (a) The Joint Budget Interim Committee shall meet at least monthly and more

3. Page 8, Line 227:

227 ~~[(5)]~~ (6) The Joint Budget Interim Committee shall:

4. Page 8, Line 243:

243 ~~[(6)]~~ (7) (a) Each year, the Joint Budget Interim Committee shall select one or more state

Representative D. Clark proposed the following substitute motion to amend:

1. Page 7, Lines 190 through 213:

190 JR-3.07. Joint Budget Interim Committee.

191 (1) There is created a Joint Budget Interim Committee of the Utah Legislature

192 consisting of 15 members.

193 (2) (a) The President of the Senate shall appoint three members of the 15 members as

194 follows:

195 (i) one member of the majority party as Senate chair of the committee; and

196 (ii) two members of the minority party.

197 (b) The Senate chairs of the following appropriation subcommittees ~~[[are]]~~ shall serve as ex officio

198 voting members of the Joint Budget Interim Committee during even-numbered years and the House chairs of the following appropriation subcommittees shall serve as ex officio voting members of the Joint Budget Interim Committee during odd-numbered years:

199 (i) Capital Facilities and Administrative Services;

200 (ii) Commerce and Revenue;

201 (iii) Economic Development and Human Resources; and

202 (iv) Executive Offices and Criminal Justice.

203 (3) (a) The Speaker of the House shall appoint three members of the 15 members as

204 follows:

205 (i) one member of the majority party as House chair of the committee; and

206 (ii) two members of the minority party.

207 (b) The House chairs of the following appropriation subcommittees [[are]] shall serve as ex officio

voting members of the Joint Budget Interim Committee during even-numbered years and the Senate chairs of the following appropriation subcommittees shall serve as ex officio voting members of the Joint Budget Interim Committee during odd-numbered years :

209 (i) Health and Human Services;

210 (ii) Higher Education;

211 (iii) Natural Resources;

212 (iv) Public Education; and

213 (v) Transportation, Environmental Quality, and National Guard.

Representative Clark's motion to amend passed on a voice vote.

H.J.R. 4, as amended, then passed on the following roll call:

Yeas, 46; Nays, 23; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Alexander | S. Allen | Barrus |
| Bigelow | Bird | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | Kiser |
| Last | Lawrence | Lockhart | Love |

| | | | |
|---------|----------|---------|----------|
| Mascaro | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-------------|-----------|
| Anderson | Becker | Bennion | Biskupski |
| Buffmire | D. Cox | Curtis | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | King | McCartney |
| McGee | Morgan | Moss | Pace |
| Shurtliff | Styler | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|---------|--------|
| Adams | Bourdeaux | Dillree | Ferrin |
| B. Johnson | Litvack | | |

H.J.R. 4, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 26, 2004

The House Rules Committee recommends, with written request of the sponsor, **H.B. 66**, State Spending Limitations Amendments (Rep. G. Hughes), be replaced with **Substitute H.B. 66**, State Spending Limitations Amendments (Rep. G. Hughes), and further recommends that it be assigned to the Judiciary Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

EDUCATION

H.B. 43 No Child Left Behind Opt Out (Rep. M. Dayton)

GOVERNMENT OPERATIONS

H.B. 217 Changes to Division of Facilities and Construction
Management Contract Procedures and Requirements
(Rep. W. Harper)

H.B. 226 Legislative Approval for Capital Projects (Rep. D. Ure)

HEALTH AND HUMAN SERVICES

H.B. 94 Health Insurance Pool (Rep. C. Bennion)

- S.B. 30** Medical Benefits Recovery Act Amendments
(Sen. S. Killpack)
- 1st Sub. S.B. 68** Prohibition of Public Funding for Abortion
(Sen. C. Bramble)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 199** Disruption of Activities in or Near School Building
(Rep. C. Moss)
- H.B. 212** Traffic Accident Response (Rep. E. Hutchings)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 88** State Land Use Management Plans (Rep. B. Johnson)
- H.B. 232** Water Well Amendments (Rep. D. Peterson)
- H.B. 220** Off-highway Vehicle Amendments (Rep. B. Goodfellow)

POLITICAL SUBDIVISIONS

- S.B. 9** Property Rights Amendments (Sen. C. Walker)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 229** Public Utility Easements (Rep. R. C. Webb)

REVENUE AND TAXATION

- S.B. 13** Resort Communities Tax Amendments (Sen. L. Hillyard)

TRANSPORTATION

- S.B. 87** Driver License Certificate Amendments (Sen. C. Walker)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

- H.B. 91** Utah Administrative Rulemaking Act Amendments
(Rep. W. Harper)

Marda Dillree, Chair

Reports filed. On motion of Representative Philpot, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 27, 2004, at 10:00 a.m.

NINTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:10 a.m.

Roll call showed all members present.

Prayer by Sam Worsham and Pledge of Allegiance by Kristen Sorenson. National Anthem sung by Taylorsville High School Madrigals. All are guests of Representative Jim Dunnigan.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 26, 2004

The Senate passed, as substituted, **1st Sub. S.B. 69**, PARTIAL BIRTH ABORTION AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 12**, TRANSPORTATION OF CHILDREN FOR PARENT-TIME, by Senator P. Arent, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 69** and **S.B. 12**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 26, 2004

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 18**, MUNICIPAL ANNEXATION PROVISIONS IN FIRST CLASS COUNTIES, by Senator P. Arent, with the following amendments:

1. Page 3, Line 70:
After "submitting a signed." insert "notarized."
2. Page 4, Line 106:
After "written" insert ", notarized"
3. Page 5, Line 138:
After "submitting a signed." insert "notarized."

4. Page 6, Line 177:
After "written" insert ", notarized"

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Barrus, the reports of the Political Subdivisions committee were adopted.

S.B. 18, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 26, 2004

The Government Operations Committee reports a favorable recommendation on **H.J.R. 3**, RESOLUTION URGING CONGRESS TO CONSIDER WITHDRAWING THE UNITED STATES FROM THE UNITED NATIONS, by Representative D. Bush, et al, with the following amendments:

1. Page 3, Lines 78 through 79:

78 WHEREAS, the United States has [~~nothing to~~] more to lose than it can gain [~~and everything to lose~~] by continuing

79 as a member of the United Nations:”; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 8**, RESOLUTION AUTHORIZING THE LEGISLATURE TO CALL ITSELF INTO SESSION, by Representative C. Bennion; and

The Government Operations Committee reports a favorable recommendation on **H.B. 213**, CHANGES TO INVESTMENT ADVISORY COMMITTEE, by Representative D. Clark, with the following amendments:

1. Page 4, Lines 101 through 103:

101 (e) The investment advisory committee shall meet at least [annually] quarterly and

102 review investment reports prepared by the state treasurer, including information on portfolio

103 composition and investment performance. (f) The investment advisory committee shall elect a chair and vice-chair; and

The Government Operations Committee reports a favorable recommendation on **H.B. 205**, STATE SETTLEMENT AGREEMENTS AMENDMENTS, by Representative W. Harper; and

The Government Operations Committee reports a favorable recommendation on **S.B. 85**, POLITICAL ACTIVITIES OF PUBLIC ENTITIES AMENDMENTS, by Senator D. Thomas.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

H.J.R. 3, as amended, **H.J.R. 8**, **H.B. 213**, as amended, **H.B. 205**, and **S.B. 85**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 26, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.C.R. 3**, RESOLUTION SUPPORTING HILL AIR FORCE BASE, by Senator D. Thomas; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 67**, DESIGNATION OF AMERICAN INDIAN HERITAGE MONTH AND AN INDIGENOUS PEOPLE DAY, by Senator B. Evans.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

S.C.R. 3 and **S.B. 67**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 107, Appropriation to Meet Highly Qualified Teacher Standards (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 108, Insurance and Retirement for Charter School Employees (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 171, Insurance Fraud Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 172, Insurance Liquidation Law Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 241, Commitment for Mental Retardation (C. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 242, Funds Consolidation Act – Deposit Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 244, Amendments to Asset Testing for Medicaid (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 245, Insurance Law Revisions (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 246, Prohibition of Cross Burning on Property (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 247, Task Force Studying Water Issues (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 248, Disclosure of Higher Education Costs (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 249, Nursing Care Facility Medicaid Certification Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.R. 7, Driving Under the Influence Resolution (D. Love), read the first time by short title and referred to the Rules Committee.

UNFINISHED BUSINESS

On motion of Representative Jones, the House voted to uncircle **Sub. H.B. 47**.

Sub. H.B. 47, ELEMENTARY SCHOOL VENDING MACHINE SALES, was before the House on its final passage.

Representative Lawrence proposed the following amendment:

1. Page 2, Lines 27 through 34

27 (1) ~~[[After]]~~ Except as permitted by Subsection (3), after the date specified in Subsection (2), an elementary school may not sell, or

28 allow to be sold, through vending machines on premises accessible to students food products

29 other than water, milk, 100% fruit juice, or fresh fruit.

30 (2) The requirements of Subsection (1) shall be met upon the first to occur of the

31 following:

32 (a) the natural expiration or earlier termination of a school's contracts in force with

33 vending machine suppliers; or

34 (b) May 5, 2006.

(3) An elementary school is exempt from the provisions of Subsections (1) and (2) if the local school board for the elementary school adopts a policy, after public comment in an open and public meeting, regarding the sale of food products in vending machines accessible to elementary school students.”

Representative Last proposed a substitute motion to delete **Sub. H.B. 47** in title and body and insert **4th Sub. H.B. 47** in lieu thereof with a technical correction to delete “elementary” on line 16. This motion passed on the following roll call:

Yeas, 43; Nays, 30; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|------------|-------------|-------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dillree | Ferrin | Ferry |
| Frank | Harper | Hogue | Holdaway |
| Hughes | B. Johnson | Kiser | Last |
| Lockhart | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|-----------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Buxton | Daniels | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |

| | | | |
|-------------|----------|---------|-----------|
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Jones | King | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Pace |
| Shurtliff | Thompson | | |

Absent or not voting were: Representatives

S. Allen E. Hutchings

Representative Lawrence proposed the following amendment:

1. Page 1, Line 9:
Delete “ may and insert “shall”
2. Page 1, Line 15:
Delete “ may and insert “shall”
3. Page 2, Line 30:
Delete “may and insert “shall”
4. Page 2, Lines 32–34:
Delete lines 32 through 34.

Representative Lockhart proposed the following substitute motion to amend:

1. Page 1, Line 9:
Delete “and schools”
2. Page 1, Line 14:
Delete “; and”
3. Page 1, Lines 15–16:
Delete lines 15 and 16
4. Page 2, Line 28:
Delete “(1)(a)”
5. Page 2, Lines 30–34:
Delete lines 30 through 34.

Representative Lockhart’s motion to amend passed on the following roll call:

Yeas, 50; Nays, 24; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|-----------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |

| | | | |
|----------|--------------|------------|-----------|
| Bowman | Bryson | Bush | Buttars |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Frank | Hardy | Harper | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-------------|-----------|
| S. Allen | Becker | Biskupski | Bourdeaux |
| Buffmire | Buxton | Christensen | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Hogue | Jones | King |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Shurtliff |

Absent or not voting was: Representative Seitz

On motion of Representative Jones, under suspension of the rules, the House voted to circle **4th Sub. H.B. 47**.

RULES COMMITTEE REPORT

Mr. Speaker:

January 27, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 219 Construction Bond Amendments (Rep. M. Morley)

EDUCATION

H.B. 84 State School Board Candidates (Rep. D. Cox)

H.B. 224 Repeal of Public Education Amendments
(Rep. J. Buffmire)

HEALTH AND HUMAN SERVICES

H.B. 188 Donation of Surplus Computers to Persons with a Disability (Rep. C. Bird)

1st Sub. S.B. 69 Partial Birth Abortion Amendments (Sen. C. Bramble)

JUDICIARY

H.B. 215 Uniform Building Standards Amendments
(Rep. J. S. Adams)

S.B. 12 Transportation of Children for Parent-time (Sen. P. Arent)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 78 School Land Trust Program Restricted Account
(Rep. D. Clark)

H.B. 233 Grazing Permit Fee Amendments (Rep. E. Anderson)

REVENUE AND TAXATION

H.B. 74 Extension of Sales and Use Tax Exemption for Steel
Industry (Rep. B. Ferry)

**WORKFORCE SERVICES AND COMMUNITY & ECONOMIC
DEVELOPMENT**

H.J.R. 9 Resolution Supporting Efforts to End Homelessness
(Rep. D. Clark)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

Speaker Stephens called the House to order at 2:05 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 27, 2004

The Senate passed **S.B. 70**, HEALTH CARE FACILITY LICENSING EXEMPTION, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed **S.B. 79**, REPEAL OF CHILD WELFARE WORKER DESIGNATIONS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 83**, UNINSURED EMPLOYERS' FUND AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 92**, REPEAL OF UNSOLICITED COMMERCIAL AND SEXUALLY EXPLICIT EMAIL ACT, by Senator P. Arent, and it is transmitted for consideration; and

The Senate passed **S.B. 96**, UTAH OCCUPATIONAL SAFETY AND HEALTH ACT AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 98**, FEES FOR ELECTRONIC PROCESSING OF CERTAIN MOTOR VEHICLE TRANSACTIONS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 108**, REVISOR'S STATUTE, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.J.R. 4**, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 32**, USE OF ASTHMA MEDICATION BY PUPILS IN SCHOOL, by Senator P. Arent, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 70**, **S.B. 79**, **S.B. 83**, **S.B. 92**, **S.B. 96**, **S.B. 98**, **S.B. 108**, **S.J.R. 4**, and **S.B. 32**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 27, 2004

The Education Committee reports a favorable recommendation on **S.B. 6**, REFURBISHED COMPUTERS IN SCHOOLS PROGRAM, by Senator H. Stephenson; and

The Education Committee reports a favorable recommendation on **H.C.R. 7**, RESOLUTION RECOGNIZING LEGISLATORS BACK TO SCHOOL WEEK, by Representative K. Holdaway; and

The Education Committee reports a favorable recommendation on **H.C.R. 2**, INDIVIDUALS WITH DISABILITIES ACT RESOLUTION, by Representative K. Holdaway, with the following amendments:

1. Page 1, Lines 1 through 2:

1 INDIVIDUALS WITH DISABILITIES EDUCATION ACT
2 RESOLUTION

2. Page 1, Lines 19 through 20:

19 WHEREAS, in 1975 the United States took a major step forward in promoting the

20 inclusion and equality of one of the nation's most disenfranchised groups of citizens;

WHEREAS, prior to enactment of the Education for All Handicapped Children's Act of 1975, only one in five children with disabilities was educated in public schools in the United States;

3. Page 1, Lines 24 through 27:

24 WHEREAS, the federal government made a commitment to pay 40% of the cost for

25 children with special educational needs;

26 ~~[[WHEREAS, over the years the federal appropriations have ranged from seven to 15%~~

27 ~~of the total cost]]~~

WHEREAS, the federal government currently funds only 18% of its initial promise to pay 40% of per pupil expenditures under IDEA;

WHEREAS, considering the new federal No Child Left Behind requirements for raising the percentage of students with disabilities proficient in state standards to 100% by the end of the 2013-14 school year and the federal government's prior history in funding special education costs, states are presented with another unfunded or partially funded mandate by the federal government;

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

S.B. 6, H.C.R. 7, and H.C.R. 2, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 27, 2004

The Health and Human Services Committee recommends **H.B. 198**, CHILD WELFARE COURT REPORTS, by Representative M. Thompson, be replaced

and favorably recommends **2nd Sub. H.B. 198**, CHILD WELFARE COURT REPORTS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE, by Representative D. Litvack, with the following amendments:

1. Page 4, Lines 109 through 110:

109 appointed by a court to represent the interests of the children. The access granted to the Office of the Guardian Ad Litem is limited to information entered into the system on or after July 1, 2004, except the Office may have access to all child abuse and neglect referrals.

110 (b) Each contract provider and designated representative of the Office of the Guardian; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 174**, FORENSIC MENTAL HEALTH AMENDMENTS, by Representative J. Seitz, with the following amendments:

1. Page 2, Line 39:
After "mentally ill or" insert "guilty and mentally ill at the time of the offense"
2. Page 2, Line 43:
After "mentally ill" insert "guilty and mentally ill at the time of the offense"
3. Page 2, Line 44:
Delete "are also mentally retarded" insert "also have mental retardation"
4. Page 2, Line 45:
After "persons" insert "undergoing evaluation for competency or; and

The Health and Human Services Committee recommends **H.B. 200**, RECOGNITION OF FOREIGN ADOPTIONS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 200**, RECOGNITION OF FOREIGN ADOPTIONS.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

2nd Sub. H.B. 198, H.B. 60, as amended, **H.B. 174**, as amended, and **Sub. H.B. 200**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 27, 2004

The Business and Labor Committee reports a favorable recommendation on **H.C.R. 5, RESOLUTION URGING FEDERAL TAX CUTS TO BE MADE PERMANENT**, by Representative C. Bennion; and

The Business and Labor Committee recommends **H.B. 202, MAIL ORDER TOBACCO SALES AMENDMENTS**, by Representative E. Hutchings, be replaced and favorably recommends **1st Sub. H.B. 202, MAIL ORDER TOBACCO SALES AMENDMENTS**; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 79, RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE**, by Representative C. Duckworth; and

The Business and Labor Committee recommends **H.B. 182, CONSTRUCTION LIEN AMENDMENTS**, by Representative S. Clark, be replaced and reports a favorable recommendation on **1st Sub. H.B. 182, CONSTRUCTION LIEN AMENDMENTS** with the following amendments:

1. Page 3, Line 72:

After “give” insert “not less than”

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Morley, the reports of the Business and Labor committee were adopted.

H.C.R. 5, Sub. H.B. 202, H.B. 79, and **Sub. H.B. 182**, as amended, read the second time by short title and placed on the calendar for third reading.

UNFINISHED BUSINESS

On motion of Representative Aagard, the House voted to uncircle **H.B. 9**.

H.B. 9, ABSENTEE BALLOT AMENDMENTS, was before the House on its final passage.

Representative Dougall proposed the following amendment:

1. Page 5, Lines 133m through 133v
House Committee Amendments
1-21-2004

133m (3) THE COUNTY CLERK SHALL ENSURE THAT THE ABSENTEE BALLOT RECORD

133n CONTAINS, FOR EACH VOTING PRECINCT:

133o (a) THE NAME AND ADDRESS OF EACH PERSON WHO HAS FILED A QUALIFIED ABSENTEE

133p BALLOT APPLICATION;

133q (b) THE DATE THAT THE APPLICATION WAS RECEIVED;

133r (c) THE CURRENT STATUS OF EACH QUALIFIED ABSENTEE BALLOT APPLICATION

133s INCLUDING SPECIFICALLY:

133t (i) [~~WHETHER OR NOT~~] the date that THE ABSENTEE BALLOT [~~HAS BEEN~~] was MAILED TO THE VOTER; AND

133u (ii) [~~WHETHER OR NOT~~] the date that THE VOTED ABSENTEE BALLOT [~~HAS BEEN~~] was RECEIVED BY THE

133v COUNTY CLERK.

2. Page 5, Line 133w through Page 5a, Line 133aa
House Committee Amendments
1-21-2004:

133w (4) (a) NOTWITHSTANDING THE TIME LIMITS FOR RESPONSE TO A REQUEST FOR

133x RECORDS UNDER SECTION 63-2-204 OR THE TIME LIMITS FOR A REQUEST FOR RECORDS

133y ESTABLISHED IN ANY COUNTY ORDINANCE, THE COUNTY CLERK SHALL ENSURE THAT THE ð

133z ð INFORMATION REQUIRED BY THIS SECTION IS RECORDED AND MADE AVAILABLE to the public NO LATER

133aa THAN [~~TWENTY FOUR HOURS~~] one business day AFTER ITS RECEIPT in the clerk's office .

Representative Dougall's motion to amend passed on a voice vote.

H.B. 9, as amended, then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative

Daniels

Absent or not voting were: Representatives

| | | | |
|---------|--------|-----------|---------|
| Bowman | Bryson | McCartney | Newbold |
| Philpot | | | |

H.B. 9, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Hughes, the House voted to uncircle **H.B. 65**.

H.B. 65, TUITION WAIVER FOR PURPLE HEART RECIPIENTS, was before the House on its final passage.

H.B. 65 then passed on the following roll call:

Yeas, 66; Nays, 7; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-------------|-------------|--------------|------------|
| Bigelow | Bird | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Noel | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|---------|-------|
| Biskupski | Dougall | Ferrin | Frank |
| Morley | Pace | Philpot | |

Absent or not voting were: Representatives

| | |
|--------|---------|
| Bowman | Newbold |
|--------|---------|

H.B. 65 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.J.R. 5, JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE MEETINGS, read the third time by short title and placed on its final passage.

H.J.R. 5, as amended, then failed to pass on the following roll call:

Yeas, 29; Nays, 45; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|------------|------------|
| Anderson | Becker | Bird | Biskupski |
| Bourdeaux | Buffmire | Buxton | Curtis |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Hughes | B. Johnson |
| Jones | King | Kiser | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Newbold | Philpot |
| Shurtliff | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bryson |
| Bush | Buttars | Christensen | D. Clark |
| S. Clark | D. Cox | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | E. Hutchings |
| Last | Lockhart | Love | Morley |
| Murray | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Absent or not voting was: Representative

Bowman

H.J.R. 5 was filed.

UNFINISHED BUSINESS

On motion of Representative Frank, the House voted to uncircle **H.B. 40**.

H.B. 40, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, was before the House on its final passage.

H.B. 40 then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |

| | | | |
|----------|-------------|----------|---------|
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative
Bowman

H.B. 40 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 28, 2004, at 10:00 a.m.

TENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives David Ure and Ty McCartney, excused.

Prayer by Thomas Whitchurch, Republican state delegate and councilman of Alpine City. Pledge of Allegiance by Petty Officer 1st Class Andy Wihongi. Both are guests of Representative John Dougall.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 28, 2004

The Senate passed, as amended, **S.B. 34**, OCCUPATIONAL THERAPISTS AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 34**, read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: January 27, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

S.B. 83 Uninsured Employers' Fund Amendments
(Sen. E. Mayne)

S.B. 96 Utah Occupational Safety and Health Act Amendments
(Sen. E. Mayne)

EDUCATION

S.B. 32 Use of Asthma Medication by Pupils in School
(Sen. P. Arent)

GOVERNMENT OPERATIONS

H.B. 228 Sale, Exchange, or Donation of Real Property by State Agencies (Rep. D. Ure)

HEALTH AND HUMAN SERVICES

H.B. 70 Geriatric Care Managers (Rep. R. Lockhart)

H.B. 225 Provision for Emergency Medical Services (Rep. P. Wallace)

H.B. 227 Midwife Certification Act (Rep. J. Biskupski)

S.B. 70 Health Care Facility Licensing Exemption (Sen. J. Hickman)

S.B. 79 Repeal of Child Welfare Worker Designations (Sen. D. Eastman)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 104 Filing and Perfecting of Water Rights (Rep. B. Johnson)

H.B. 214 School and Institutional Trust Lands – Clarifying References to Rules and Policies (Rep. J. Gowans)

PUBLIC UTILITIES AND TECHNOLOGY

S.B. 92 Repeal of Unsolicited Commercial and Sexually Explicit Email Act (Sen. P. Arent)

TRANSPORTATION

S.B. 98 Fees for Electronic Processing of Certain Motor Vehicle Transactions (Sen. C. Bramble)

Marda Dillree, Chair

Report filed. On motion of Representative Philpot, the report of the Rules Committee was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 27, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 212**, TRAFFIC ACCIDENT RESPONSE, by Representative E. Hutchings; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 199**, DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING, by Representative C. Moss.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 212 and **H.B. 199**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 27, 2004

The Transportation Committee reports a favorable recommendation on **S.B. 11**, GUIDELINES FOR LOCAL MATCHING DOLLARS FOR TRANSPORTATION PROJECTS, by Senator C. Walker; and

The Transportation Committee reports a favorable recommendation on **S.B. 77**, EXPANSION OF NEW MOTOR VEHICLE WARRANTIES, by Senator P. Arent; and

The Transportation Committee reports a favorable recommendation on **S.B. 87**, DRIVER LICENSE CERTIFICATE AMENDMENTS, by Senator C. Walker.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

S.B. 11, **S.B. 77**, and **S.B. 87**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 109, Legal Presence Provisions (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 110, Educator Licensing Amendments (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 111, Municipal Government Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 112, Enrollment Growth Program Amendments (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 250, Property and Casualty Insurance Law Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 251, Radio Frequency Identification – Right to Know Act (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 252, Calculation of Property Tax Levies (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.J.R. 12, Resolution – Exception to Subscribing to Stock Prohibition (G. Curtis), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 18, MUNICIPAL ANNEXATION PROVISIONS IN FIRST CLASS COUNTIES, read the third time by short title and placed on its final passage.

On motion of Representative Lawrence, the House voted to circle **S.B. 18**.

* * *

S.B. 85, POLITICAL ACTIVITIES OF PUBLIC ENTITIES AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 1, Line 13:
Delete “class B” and insert “class C”
- 2. Page 4, Line 99:
Delete “class B” and insert “class C”

Representative Litvack proposed the following substitute motion to amend:

- 1. Page 1, Lines 13 and 14:
Delete lines 13 and 14.
- 2. Page 2, Lines 98 and 99:
Delete lines 98 and 99.

Representative Litvack’s motion to amend failed on a voice vote.

Representative Allen’s original motion to amend failed on a voice vote.

S.B. 85, as amended, then passed on the following roll call:

Yeas, 43; Nays, 15; Absent or not voting, 17.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Bigelow | Bird | Bowman |
| Bryson | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Curtis | Dee |
| Donnelson | Dougall | Dunnigan | Frank |
| Hardy | Harper | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Styler | Thompson |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-----------|---------|
| Becker | Biskupski | Bourdeaux | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Jones | King | Litvack | McGee |
| Morgan | Moss | Shurtliff | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|----------|-----------|
| Anderson | Bennion | Buffmire | Bush |
| D. Clark | Dayton | Dillree | Ferrin |
| Ferry | Hendrickson | Hogue | McCartney |
| Philpot | Seitz | G. Snow | Ure |
| Urquhart | | | |

S.B. 85, as amended, returned to the Senate for further consideration.

* * *

S.C.R. 3, RESOLUTION SUPPORTING HILL AIR FORCE BASE, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to circle **S.C.R. 3**.

* * *

S.B. 67, DESIGNATION OF AMERICAN INDIAN HERITAGE MONTH AND AN INDIGENOUS PEOPLE DAY, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 67**.

* * *

S.B. 6, REFURBISHED COMPUTERS IN SCHOOLS PROGRAM, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 6**.

UNFINISHED BUSINESS

On motion of Representative Lawrence, the House voted to uncircle **S.B. 18**.

S.B. 18, MUNICIPAL ANNEXATION PROVISIONS IN FIRST CLASS COUNTIES, was before the House on its final passage.

Representative Dee proposed the following amendment:

“Delete the committee report amendments dated January 26, 2004.”

Representative Dee’s motion to amend passed on a voice vote.

S.B. 18, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|---------|----------|
| Barrus | Harper | Hogue | Litvack |
| McCartney | Newbold | Philpot | Thompson |
| Ure | | | |

S.B. 18 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

Sub. H.R. 1, RULES RESOLUTION – ACCESS TO HOUSE FLOOR, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **Sub. H.R. 1**.

* * *

H.B. 13, HAZARDOUS WASTE AND NONHAZARDOUS SOLID WASTE FEE AND TAX AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 13 then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative
E. Hutchings

Absent or not voting were: Representatives
McCartney Moss Newbold Philpot
G. Snow Ure

H.B. 13 transmitted to the Senate for its consideration.

* * *

H.B. 204, PUBLIC UTILITIES REVISIONS, read the third time by short title and placed on its final passage.

H.B. 204 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Anderson Barrus Becker Bigelow
Bird Biskupski Bourdeaux Bowman
Bryson Buffmire Bush Buttars
Buxton Christensen D. Clark S. Clark
D. Cox Curtis Daniels Dayton
Dee Dillree Donnelson Dougall
Dunnigan Ferrin Ferry Frank
Goodfellow Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Love Mascaro McGee
Morgan Morley Murray Newbold
Noel Pace Peterson Seitz
Shurtliff G. Snow Styler Thompson
Urquhart Wallace Webb M. Stephens

Absent or not voting were: Representatives
Bennion Duckworth Gowans McCartney
Moss Philpot Ure

H.B. 204 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 54, VIDEOTAPE OF MINORS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 54**.

* * *

H.B. 183, CONDITIONS FOR RELEASE AFTER NOTICE REGARDING ARREST FOR DOMESTIC VIOLENCE, read the third time by short title and placed on its final passage.

Representative Wallace declared a conflict of interest because of her work at a domestic violence shelter.

H.B. 183 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|-----------|---------|
| Bennion | Holdaway | McCartney | G. Snow |
| Ure | | | |

H.B. 183 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Hogue, the House voted to reconsider its action on **H.J.R. 5**.

RECONSIDERATION OF H.J.R. 5

H.J.R. 5, JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE MEETINGS, was before the House upon its final passage.

On motion of Representative Hogue, the House voted to circle **H.J.R. 5**.

RULES COMMITTEE REPORT

Mr. Speaker: January 28, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

- S.B. 108** Revisor’s Statute (Sen. L. Hillyard)
- S.J.R. 4** Joint Rules Resolution – Fiscal Note Process Amendments (Sen. L. Hillyard); and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 76** Mobile Home Park Residency Act Amendments (Rep. C. Duckworth)
- H.B. 106** Health Insurance Act Amendments (Rep. J. Dunnigan)
- H.B. 221** Use of Credit Information for Insurance (Rep. P. Wallace)
- S.B. 34** Occupational Therapists Amendments (Sen. G. Davis)

HEALTH AND HUMAN SERVICES

- H.B. 218** Private Health Insurance – Waiver of Health Condition (Rep. C. Bennion)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 216** Internet Privacy Act (Rep. W. Harper)

REVENUE AND TAXATION

- H.B. 230** Property Tax Levy for Education (Rep. M. Styler)
Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 29, 2004, at 10:00 a.m.

ELEVENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives Roz McGee, David Ure, and Katherine Bryson, excused.

Pledge of Allegiance and prayer by Judge Franklin B. Matheson, father of Representative Susan Lawrence.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 28, 2004

The Senate passed, as amended, **S.B. 16**, IDENTITY THEFT AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 88**, UNIFORM BUILDING STANDARDS ACT – MANUFACTURED HOUSING AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 21**, DRUG OFFENDERS REFORM ACT, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 23**, AMENDMENTS TO MUNICIPAL GOVERNMENT, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 72**, DISPOSITION OF FINES FOR REGISTRATION VIOLATIONS, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 73**, ESCAPE AMENDMENTS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 84**, PARTY TO FELONY OFFENSE ENHANCEMENT, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed **S.B. 91**, EMERGENCY MEDICAL SERVICE PROVIDER AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.B. 93**, TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 94**, MINE CERTIFICATION REQUIREMENTS, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed **S.B. 97**, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 113**, ADMINISTRATIVE PROCEDURES ACT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 16**, **2nd Sub. S.B. 88**, **S.B. 21**, **S.B. 23**, **S.B. 72**, **S.B. 73**, **S.B. 84**, **S.B. 91**, **S.B. 93**, **S.B. 94**, **S.B. 97**, and **S.B. 113**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 28, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 91**, UTAH ADMINISTRATIVE RULEMAKING ACT AMENDMENTS, by Representative W. Harper.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

H.B. 91, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 28, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 232**, WATER WELL AMENDMENTS, by Representative D. Peterson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 88**, STATE LAND USE MANAGEMENT PLANS, by Representative B. Johnson, with the following amendments:

1. Page 4, Line 101:
After "the" insert "watersheds."
2. Page 4, Line 116:
After "recreational" insert "and economic"
3. Page 5, Line 122:
After "which" insert "improve watersheds and"

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 232 and **H.B. 88**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 28, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.C.R. 6**, RESOLUTION OPPOSING INTERNET ACCESS TAXES, by Representative C. Bennion, with the following amendments:

1. Page 1, line 22:
After "individuals" insert "and businesses"
2. Page 1, line 23:
After "access," insert "potential"
3. Page 2, line 26:
After "taxes" delete "led to" and insert "enabled"
4. Page 2, line 32:
After "and" insert "potentially"
5. Page 2, line 37
After "Internet" insert "access"; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 13**, RESORT COMMUNITIES TAX AMENDMENTS, by Senator L. Hillyard.

Wayne A. Harper, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Revenue and Taxation committee were adopted.

Sub. H.C.R. 6, as amended, and **S.B. 13**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 28, 2004

The Government Operations Committee reports a favorable recommendation on **H.B. 206**, CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS, by Representative M. Noel, with the following amendments:

1. Page 3, Lines 59 through 64:

59 (d) (i) Each agenda shall include the following items :

60 [[~~(i)~~](A) a financial report ~~[[detailing all of the monies available to the council and how those~~

61 monies have been spent]]]; and

62 [[~~(ii)~~](B) a litigation report ~~[[by the attorney general or his designee detailing the status,~~

63 ~~schedule, timing, and outlook for each case initiated by the council or for which the council has~~

64 ~~requested a report]]].~~

(ii) The financial report presented to the council shall detail all of the monies available to the council and how those

61 monies have been spent, excluding monies spent on and available for litigation.

(iii) The attorney general or his designee shall present the litigation report and detail the legal status.

63 ~~schedule, timing, outlook, and financial status for each case initiated by the council or for which the council has~~

64 ~~requested a report.~~

(iv) Nothing in this Subsection (d) prohibits the council from closing a meeting under Title 52, Chapter 4, Open and Public Meetings, or prohibits the council from complying with Title 63, Chapter 2, Government Records Access and Management Act.; and

The Government Operations Committee reports a favorable recommendation on **S.B. 15**, CARRYOVER OF AUTHORIZED CAPITAL OUTLAY AMENDMENTS, by Senator B. Evans; and

The Government Operations Committee reports a favorable recommendation on **S.B. 10**, AMENDMENTS TO LOCAL REFERENDUM PROCESS, by Senator J. Hickman, with the following amendments:

- 1. Page 2, Lines 55 through 57
Senate 2nd Reading Amendments
1–21–2004:

55 (3) (a) Sponsors of any referendum petition challenging, under
Subsection (1) or (2),

56 any local law passed by a local legislative body shall file the
petition within [35] § [[{]]45[[{]] [[60]] § days

56a after

57 the passage of the local law.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

H.B. 206, as amended, **S.B. 15**, and **S.B. 10**, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 113, Nonresident Tuition Waiver for Job Corps Students (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 114, Money Management Act Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 115, Carson Smith Special Needs Scholarships (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 117, Individual Income Tax – Treatment of Certain Military Income (D. Peterson), read the first time by short title and referred to the Rules Committee.

H.B. 118, Brand Inspection Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 119, Fencing Responsibilities with Greenbelt or Conservation Easement (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 120, Child Welfare Funding for In-home Services (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 170, Office of the Attorney General Responsibilities (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 253, Retirement Office Amendments (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 254, Solid Waste Landfill Amendments (D. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 255, Wildlife Restitution Amendments (R. Barrus), read the first time by short title and referred to the Rules Committee.

H.B. 256, Expansion of Economic Development Webpage (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 257, Electro Shock Therapy Amendments (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 258, Prohibiting Cell Phone Use for New Drivers (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 259, Special Needs Adoption – Placement Evaluations (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 260, Tobacco Fund Allocation Amendments (J. Seitz), read the first time by short title and referred to the Rules Committee.

H.B. 261, Gift Certificates – Eliminating Expiration Date (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.J.R. 13, Clog America Resolution (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 192, REPEAL OF THRIFTS SETTLEMENT FINANCING PROVISIONS, read the third time by short title and placed on its final passage.

H.B. 192 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|-------------|--------------|------------|-----------|
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------|-------|
| Alexander | Bryson | Love | McGee |
| Styler | Ure | | |

H.B. 192 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Seitz, the House voted to uncircle **S.B. 67**.

S.B. 67, DESIGNATION OF AMERICAN INDIAN HERITAGE MONTH AND AN INDIGENOUS PEOPLE DAY, was before the House on its final passage.

S.B. 67 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |

| | | | |
|-------------|----------|------------|-----------|
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative
Dougall

Absent or not voting were: Representatives

| | | | |
|--------------|---------|---------|--------|
| Bryson | Buttars | Dillree | Gowans |
| E. Hutchings | Love | McGee | Styler |
| Ure | | | |

S.B. 67 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 11, GUIDELINES FOR LOCAL MATCHING DOLLARS FOR TRANSPORTATION PROJECTS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 11**.

* * *

S.B. 77, EXPANSION OF NEW MOTOR VEHICLE WARRANTIES, read the third time by short title and placed on its final passage.

S.B. 77 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |

| | | | |
|------------|-------------|-------------|-----------|
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Mascaro | McCartney | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|--------------|------|
| Bryson | Buttars | E. Hutchings | Love |
| McGee | Philpot | Styler | Ure |

S.B. 77 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 87, DRIVER LICENSE CERTIFICATE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 87 then passed on the following roll call:

Yeas, 50; Nays, 7; Absent or not voting, 18.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|-----------|
| Agard | S. Allen | Barrus | Becker |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Dougall | Duckworth | Dunnigan |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Shurtliff | G. Snow | Styler | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|--------------|-----------|-----------|--------|
| Adams | Alexander | Donnelson | Ferrin |
| E. Hutchings | Litvack | Pace | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-------------|----------|
| Anderson | Bennion | Bryson | Buffmire |
| Bush | Buttars | Dayton | Dillree |
| Ferry | Gowans | Hendrickson | Love |
| McGee | Philpot | Seitz | Thompson |
| Ure | Urquhart | | |

S.B. 87 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 108, REVISOR'S STATUTE, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 108**.

* * *

S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.J.R. 4**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **Sub. H.R. 1**.

Sub. H.R. 1, HOUSE RULES RESOLUTION – ACCESS TO HOUSE FLOOR, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 1, Lines 16 through 17

16 Special Clauses:

17 This resolution takes effect ~~[[immediately]]~~ on July 1, 2004 .

2. Page 5, Lines 136 through 138:

136 Section 3. Effective date.

137 This resolution takes effect ~~[[upon approval by a constitutional majority vote of all~~

138 ~~members of the House of Representatives]]~~ on July 1, 2004 .

Representative Bigelow’s motion to amend passed on a voice vote.

###

Representative Ferry proposed the following amendment:

1. Page 5, Lines 126–128:

Delete these lines.

Representative Ferry’s motion to amend failed on the following roll call:

Yeas, 32; Nays, 37; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|------------|-----------|--------------|
| S. Allen | Anderson | Barrus | Becker |
| Bird | Biskupski | Bourdeaux | Buffmire |
| D. Clark | Daniels | Donnelson | Duckworth |
| Ferrin | Goodfellow | Hansen | E. Hutchings |
| B. Johnson | Jones | King | Litvack |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Pace | Peterson | Philpot |
| Shurtliff | Thompson | Urquhart | Wallace |

Voting in the negative were: Representatives

| | | | |
|-------------|-------------|---------|----------|
| Aagard | Alexander | Bennion | Bigelow |
| Bowman | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Dee | Dillree | Dougall | Dunnigan |
| Ferry | Frank | Gowans | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | Kiser | Last | Lawrence |
| Lockhart | Murray | Newbold | Noel |
| Seitz | G. Snow | Styler | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------|--------|--------|------|
| Adams | Bryson | Dayton | Love |
| McGee | Ure | | |

###

Representative Hansen proposed the following amendment:

1. Page 2, Line 34:
Reinstate “~~a former legislator,~~”

Representative Hansen’s motion to amend failed on a voice vote.

Sub. H.R. 1, as amended, then passed on the following roll call:

Yeas, 38; Nays, 29; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-------------|----------|
| Aagard | Alexander | Bigelow | Bowman |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Dunnigan | Ferry |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Love |
| Morley | Murray | Newbold | Noel |
| Philpot | Seitz | Styler | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|--------------|-----------|-----------|
| S. Allen | Anderson | Barrus | Becker |
| Bennion | Bird | Biskupski | Bourdeaux |
| Buffmire | Christensen | Daniels | Donnelson |
| Dougall | Duckworth | Ferrin | Frank |
| Hansen | E. Hutchings | Jones | King |
| Litvack | McCartney | Morgan | Moss |
| Pace | Peterson | Shurtliff | Thompson |
| Urquhart | | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|------------|--------|
| Adams | Bryson | Goodfellow | Gowans |
| Mascaro | McGee | G. Snow | Ure |

Sub. H.R. 1, as amended, was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

THIRD READING CALENDAR

H.B. 197, LIMIT ON CHILD WELFARE, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

1. Page 2, Line 29:
After "based" insert "solely"
2. Page 2, Line 42:
After "based" insert "solely"

Representative Litvack's motion to amend failed on a voice vote.

H.B. 197, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|--------|---------|-------------|------|
| Bryson | Daniels | Gowans | Last |
| McGee | Ure | M. Stephens | |

H.B. 197, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 29, UTAH TELEHEALTH COMMISSION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 29, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|--------|---------|
| S. Allen | Bowman | Bryson | Daniels |
| Duckworth | Jones | McGee | Ure |
| M. Stephens | | | |

H.B. 29, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Shurtliff, the House voted to uncircle **H.B. 46**.

H.B. 46, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, was before the House on its final passage.

Representative Harper proposed the following amendment:

- 1. Page 2, Lines 43a through 43g
House Committee Amendments
1-21-2004

43a ñ (v) IN ACCORDANCE WITH TITLE 63, CHAPTER 46b, UTAH ADMINISTRATIVE RULEMAKING

43b ACT, THE STATE BOARD OF EDUCATION SHALL MAKE RULES:

43c (A) REQUIRING A PARENT OR GUARDIAN OF A STUDENT APPLYING FOR A FEE WAIVER TO

43d PROVIDE DOCUMENTATION AND CERTIFICATION TO THE SCHOOL THAT VERIFY THE STUDENT'S

43e ELIGIBILITY TO RECEIVE THE WAIVER; AND

43f (B) SPECIFYING THE ACCEPTABLE FORMS OF DOCUMENTATION FOR THE REQUIREMENT

43g UNDER SUBSECTION (1)(b)(v)(A) which shall include a verification based on income tax returns if the parent or guardian was required to file a return . ñ

On substitute motion of Representative Christensen, the House voted to circle **H.B. 46.**

RULES COMMITTEE REPORT

Mr. Speaker: January 29, 2004

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 207**, Health Insurance Amendments (Rep. R. Lockhart), be replaced with **Substitute H.B. 207**, Health Insurance Amendments (Rep. R. Lockhart, and further recommends it be assigned to the Health and Human Services Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 171** Insurance Fraud Amendments (Rep. J. Ferrin)
- H.B. 172** Insurance Liquidation Law Amendments (Rep. J. Ferrin)
- 2nd Sub. S.B. 88** Uniform Building Standards Act – Manufactured Housing Amendments (Sen. L. Hillyard)
- S.B. 113** Administrative Procedures Act Amendments (Sen. L. Hillyard)

EDUCATION

- H.B. 98** Eligibility for Interscholastic Athletics (Rep. A. Hardy)
H.B. 223 State School Board Candidate Selection Committees
(Rep. K. Morgan)

GOVERNMENT OPERATIONS

- H.B. 242** Funds Consolidation Act – Deposit Amendments
(Rep. D. Clark)
S.B. 97 Certification Deadline for Political Parties
(Sen. C. Bramble)

HEALTH AND HUMAN SERVICES

- H.B. 85** Health Insurance Mandate Amendments
(Rep. R. Lockhart)
H.B. 95 Clarification of Dependent Health Care Coverage
Amendments (Rep. T. Kiser)
H.B. 179 Vulnerable Adult Abuse Amendments (Rep. P. Jones)
H.B. 236 Families, Agencies, and Communities Together
Amendments (Rep. D. Litvack)
S.B. 91 Emergency Medical Service Provider Amendments
(Sen. S. Jenkins)

JUDICIARY

- H.B. 234** Sunset Extension on Unauthorized Practice of Law
(Rep. S. Urquhart)
H.J.R. 10 Joint Resolution Reaffirming the State of Utah’s
Commitment to the Constitution and the Bill of Rights
(Rep. S. Allen)
S.B. 84 Party to Felony Offense Enhancement
(Sen. M. Waddoups)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 103** Special District for Police Services (Rep. T. McCartney)
H.B. 222 Robbery Amendments (Rep. C. Frank)
H.B. 237 Department of Corrections – Therapy Provider
Qualifications (Rep. D. Bourdeaux)
S.B. 21 Drug Offenders Reform Act (Sen. D. C. Buttars)
S.B. 73 Escape Amendments (Sen. T. Hatch)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 235** Turkey Hunting Permits (Rep. D. G. Buxton)

H.C.R. 1 Resolution Urging Open Space along Jordan River Trail
(Rep. T. Kiser)

S.B. 94 Mine Certification Requirements (Sen. M. Dmitrich)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 253 Retirement Office Amendments (Rep. A. Hardy)

POLITICAL SUBDIVISIONS

S.B. 23 Amendments to Municipal Government (Sen. T. Hatch)

PUBLIC UTILITIES AND TECHNOLOGY

S.B. 16 Identity Theft Amendments (Sen. C. Walker)

S.B. 93 Telecommunications Annual Report Amendments
(Sen. B. Evans)

REVENUE AND TAXATION

H.B. 239 Sexually Explicit Business and Escort Service Tax
(Rep. D. Bourdeaux)

H.J.R. 11 Resolution Urging a Study on Statewide Uniform Fees
Imposed on Motor Homes (Rep. L. Shurtliff)

TRANSPORTATION

H.R. 7 Driving Under the Influence Resolution (Rep. D. Love)

S.B. 72 Disposition of Fines for Registration Violations
(Sen. J. Hickman)

**WORKFORCE SERVICES AND COMMUNITY & ECONOMIC
DEVELOPMENT**

H.B. 238 Workers' Compensation Access to Medical Records
(Rep. J. Alexander)

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules
Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until
January 30, 2004, at 10:00 a.m.

TWELFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives Scott Daniels and David Ure, excused.

Prayer by Representative Todd Kiser. Pledge of Allegiance by Jordan Robison, guest of Representative Kiser.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 29, 2004

The Senate passed, as amended, **S.C.R. 1**, CONCURRENT RESOLUTION APPROVING SOLID WASTE PERMIT, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 43**, RECREATIONAL THERAPY PRACTICE AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.C.R. 1** and **S.B. 43**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: January 29, 2004

The Senate passed, **H.J.R. 7**, JOINT RULES RESOLUTION – RESOLUTIONS AMENDMENTS, by Representative M. Dillree, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 6**, RESOLUTION AMENDING JOINT RULES REGARDING LONG TITLE, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.J.R. 7** and **H.J.R. 6** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 29, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 229**, PUBLIC UTILITY EASEMENTS, by Representative R. C. Webb, with the following amendments:

1. Page 2, Line 36:

36 expense of the public utility, any boundary line fence, grass, soil, gravel, flat concrete, or asphalt damaged or

2. Page 2, Lines 42 through 44:
Delete lines 42 through 44.

3. Page 2, Lines 45 through 58:

45 ~~[(5) A property owner may not change the contour of the ground within a public utility~~

46 easement if the change results in a natural gas pipeline having less than the greater of:

47 (a) 24 inches of ground cover; or

48 (b) the amount of ground cover otherwise required by federal, state, or local law.]

49 ~~[(6)]~~ (4) (a) Except as provided in Subsection ~~[(6)]~~ (4) (b), a public utility easement is

50 nonexclusive and may be used by more than one public utility.

51 (b) Notwithstanding Subsection ~~[(6)]~~ (4) (a), a public utility may not:

52 (i) interfere with any facility of another public utility within the public utility easement;

53 or

54 (ii) infringe on the legally required distances of separation between public utility

55 facilities required by federal, state, or local law.

56 [[~~(7)~~]] (5) A subdivision plat that includes a public utility easement may not receive final

57 approval for recording by a municipality or county unless the subdividor has provided the municipality or county with proof that each public utility holding an interest

58 in the public utility easement has, as a courtesy, been notified at least 14 calendar days prior to recording.

Stephen H. Urquhart, Chair

Report filed. On motion of Representative Urquhart, the report of the Public Utilities and Technology committee was adopted.

H.B. 229, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 29, 2004

The Education Committee reports a favorable recommendation on **H.B. 43**, NO CHILD LEFT BEHIND OPT OUT, by Representative M. Dayton.

Margaret Dayton, Chair

Report filed. On motion of Representative Dayton, the report of the Education committee was adopted.

H.B. 43, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 29, 2004

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 68**, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, by Senator C. Bramble, et al; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 188**, DONATION OF SURPLUS COMPUTERS TO PERSONS WITH A DISABILITY, by Representative C. Bird; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 94**, HEALTH INSURANCE POOL, by Representative C. Bennion.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

Sub. S.B. 68, H.B. 188, and H.B. 94, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 29, 2004

The Business and Labor Committee reports a favorable recommendation on **S.B. 27, TELEPHONE AND FACSIMILE SOLICITATION ACT**, by Senator D. Thomas; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 59, LIEN FOR HOMEOWNER ASSOCIATION CHARGES**, by Representative S. Mascaro, with the following amendments:

1. Page 3, Lines 65 through 68:

65 (ii) encumbrances on the interest of the property owner~~[[;]]~~
 66 ~~[[(A)]]~~ recorded prior to the date of the recording of notice of lien
described in Subsection
 67 (2)(b)~~[[;and]]~~
 68 ~~[[(B) that by law would be a lien prior to subsequently recorded~~
encumbrances]]; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 219, CONSTRUCTION BOND AMENDMENTS**, by Representative M. Morley, with the following amendments:

1. Page 1, Lines 16 through 18:

16 ► deletes exemption related to the Residence Lien Restriction and Lien Recovery
 17 Fund Act; ~~[[and]]~~
 ► addresses the award of attorneys' fees; and
 18 ► makes technical changes.

2. Page 2, Lines 47 through 50:

47 (d) (i) "Residential construction" means the construction,
alteration, or repair of:

48 (A) single family detached housing; or

49 (B) multifamily attached housing up to and including a ~~[[duplex]]~~
fourplex .

50 (ii) “Residential construction” includes rental housing.

3. Page 4, Lines 99 through 100:

99 (3) In an action for failure to obtain a bond, the court ~~[[may]]~~ shall
 award reasonable attorneys’

100 fees to the prevailing party. These attorneys’ fees shall be taxed as
 costs in the action.

4. Page 2, Line 38:

Delete “a” and insert “an original”

5. Page 2, Line 41:

After “contracting” insert “with the original contractor”

6. Page 2, Line 51:

After “any” insert “original”

7. Page 2, Line 56:

After “award of the” insert “original”

8. Page 3, Line 64:

After “the” insert “original”; and

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the
 Business and Labor committee were adopted.

S.B. 27, H.B. 59, as amended, and **H.B. 219**, as amended, read the second
 time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 116, Facilities with Regional Impact (R. Becker), read the first time by
 short title and referred to the Rules Committee.

H.B. 121, Code of Criminal Procedure Amendments (J. Seitz), read the
 first time by short title and referred to the Rules Committee.

H.B. 122, Private Investigator Amendments (M. Dayton), read the first
 time by short title and referred to the Rules Committee.

H.B. 123, Drug Lab Cleanup and Disclosure (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 124, Small Claims Court Jurisdiction Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 125, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 126, Teacher Classifications (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 161, Law Enforcement Amendments (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 162, Candidacy for Municipal Elections (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 163, Residential Mortgage Practices – Employment Security Revisions (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 164, Nonresident Tuition Waiver for National Guard Members (B. King), read the first time by short title and referred to the Rules Committee.

H.B. 165, Child Protection Registry (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 166, Concealed Firearm Permit Amendments (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 167, Public Service Commission – Regulation of Cable Companies (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 168, Individual Income Tax and Corporate Franchise and Income Tax Task Force (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 169, Mail Theft Amendments (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.J.R. 14, Resolution Providing for Recall of Elected Officials (D. Hogue), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Kiser, the House voted to allow him to open a bill file relating to the tourism tax advisory board.

THIRD READING CALENDAR

H.B. 209, LICENSING OF PLUMBING AND ELECTRICAL TRADES, read the third time by short title and placed on its final passage.

H.B. 209 then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative
Thompson

Absent or not voting were: Representatives

| | | | |
|---------|---------|----------|-----------|
| Barrus | Daniels | Lawrence | McCartney |
| Philpot | Ure | | |

H.B. 209 transmitted to the Senate for its consideration.

* * *

H.B. 187, VIATICAL SETTLEMENT ACT, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

- 1. Page 2, Line 43d:
 Refer to the committee report amendments
 Delete “regulatory” and insert “final administrative”

Representative Dunnigan’s motion to amend passed on a voice vote.

H.B. 187, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Agaard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|----------|-----------|
| Barrus | Daniels | Lawrence | McCartney |
| Ure | | | |

H.B. 187, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 195, CONSUMER PROTECTION AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 195, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|---------|
| Barrus | Bennion | Buxton | Daniels |
| Lawrence | McCartney | Morley | Philpot |
| Ure | | | |

Sub. H.B. 195, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 81, CRIMINAL LAW INTENT AMENDMENT, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **H.B. 81**.

* * *

H.B. 210, LAW ENFORCEMENT EMPLOYEE BACKGROUND CHECKS, read the third time by short title and placed on its final passage.

On motion of Representative Pace, the House voted to circle **H.B. 210**.

* * *

H.B. 7, MARRIAGE PREPARATION EDUCATION, read the third time by short title and placed on its final passage.

Representative Bennion proposed the following amendment:

1. Page 2, Line 56–58:
Delete these lines and renumber accordingly.

Representative Bennion's motion to amend failed on the following roll call:

Yeas, 19; Nays, 46; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|---------|----------|-------------|-----------|
| Bennion | Bush | Christensen | D. Clark |
| D. Cox | Curtis | Dayton | Donnelson |
| Ferrin | Frank | Hogue | Hughes |
| Last | Lockhart | Newbold | Noel |
| Philpot | Thompson | Urquhart | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Bryson | Buffmire | Buttars |
| Buxton | S. Clark | Dillree | Dougall |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Pace | Peterson | Shurtliff | G. Snow |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------|-------------|--------|---------|
| Adams | Biskupski | Bowman | Daniels |
| Dee | Morley | Seitz | Styler |
| Ure | M. Stephens | | |

On motion of Representative Curtis, the House voted to circle **H.B. 7**.

UNFINISHED BUSINESS

On motion of Representative Pace, the House voted to uncircle **H.B. 210**.

H.B. 210, LAW ENFORCEMENT EMPLOYEE BACKGROUND CHECKS, was before the House on its final passage.

H.B. 210 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

Daniels Ure

H.B. 210 transmitted to the Senate for its consideration.

* * *

On motion of Representative McCartney, the House voted to uncircle **H.B. 81**.

H.B. 81, CRIMINAL LAW INTENT AMENDMENT, was before the House on its final passage.

H.B. 81 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-------------|------------|--------------|------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

Daniels Ure

H.B. 81 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 72, RELEASE OF CLAIMS ON BEHALF OF A MINOR, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 2, Lines 43 through 45:

43 (4) Persons receiving money under this section on behalf of a minor shall have the power to settle and

44 release in whole or in part the claims belonging to the minor giving rise to the duty to pay

45 money to the minor.

Representative Dougall's motion to amend passed on a voice vote.

H.B. 72, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|----------|---------|--------|
| Alexander | S. Clark | Daniels | Hansen |
| B. Johnson | Mascaro | McGee | Ure |

H.B. 72, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 82, VIRTUAL VISITATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Aagard, the House voted to circle **H.B. 82**.

* * *

Sub. H.B. 27, TAX COMMISSION REPORT – FEDERAL TAX LAW CHANGES, read the third time by short title and placed on its final passage.

Sub. H.B. 27 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-----------|--------------|-------------|-----------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|----------|-----|
| Daniels | Hansen | Lawrence | Ure |
|---------|--------|----------|-----|

Sub. H.B. 27 transmitted to the Senate for its consideration.

* * *

H.B. 64, AMENDMENTS TO LOCAL OPTION SALES TAX FOR MUNICIPALITIES, read the third time by short title and placed on its final passage.

On motion of Representative Allen, the House voted to circle **H.B. 64**.

RULES COMMITTEE REPORT

Mr. Speaker: January 30, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 93** DNA Reimbursement Costs (Rep. J. S. Adams)
- H.B. 245** Insurance Law Revisions (Rep. J. Ferrin)
- H.B. 250** Property and Casualty Insurance Law Amendments
(Rep. T. Kiser)
- S.B. 43** Recreational Therapy Practice Amendments
(Sen. G. Davis)

EDUCATION

H.B. 100 School Professional Development Days (Rep. B. Last)

GOVERNMENT OPERATIONS

H.B. 231 Review and Approval of Federal Monies Received by the State (Rep. C. Bennion)

JUDICIARY

H.B. 96 Statute of Repose (Rep. J. S. Adams)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 246 Prohibition of Cross Burning on Property
(Rep. N. Hansen)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 92 Brucellosis Vaccination Amendments (Rep. B. Johnson)
S.C.R. 1 Concurrent Resolution Approving Solid Waste Permit
(Sen. T. Hatch)

POLITICAL SUBDIVISIONS

H.B. 111 Municipal Government Amendments (Rep. W. Harper)

REVENUE AND TAXATION

H.B. 240 Revenue and Taxation – Offenses and Penalties
(Rep. R. Bigelow)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.J.R. 13 Clog America Resolution (Rep. B. Goodfellow)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 2, 2004, at 10:00 a.m.

FIFTEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:10 a.m.

Roll call showed all members present.

Prayer by Representative LaVar Christensen.

Pledge of Allegiance Walter Dillman, House Security.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 30, 2004

The Senate passed, as substituted, and amended **1st Sub. S.B. 14**, INSURANCE CODE EXEMPTION, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 24**, MARRIAGE RECOGNITION POLICY, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 42**, UTAH EXEMPTION CODE AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 111**, MECHANICS' LIENS AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 14**, **Sub. S.B. 24**, **S.B. 42**, and **Sub. S.B. 111**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 30, 2004

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 220**, OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative B. Goodfellow, be replaced and reports a favorable recommendation on **1st Sub. H.B. 220**, OFF-HIGHWAY VEHICLE AMENDMENTS with the following amendments:

1. Page 1, Lines 18–20:
Delete lines 18, 19, and 20
2. Page 4, Lines 92–93:
Delete lines 92 and 93
3. Page 4, Line 100:
Delete “and is under the direct supervision of a person who is at least 18 years of age”

Renumber remaining sections accordingly; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 214**, SCHOOL AND INSTITUTIONAL TRUST LANDS – CLARIFYING REFERENCES TO RULES AND POLICIES, by Representative J. Gowans; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 233**, GRAZING PERMIT FEE AMENDMENTS, by Representative E. Anderson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 78**, SCHOOL LAND TRUST PROGRAM RESTRICTED ACCOUNT, by Representative D. Clark.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Curtis, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

Sub. H.B. 220, as amended, **H.B. 214**, **H.B. 233**, and **H.B. 78**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Law Enforcement and Criminal Justice Committee recommends **H.B. 50**, AUTOMOBILE CRIME PREVENTION, by Representative D. Bowman, be replaced and reports a favorable recommendation on **1st Sub. H.B. 50**, AUTOMOBILE CRIME PREVENTION with the following amendments:

1. Page 1, Line 10
After “board.” insert “This bill requires that the fees be deposited in the General Fund as a dedicated credit to be used for the purposes of the board and the administration costs of the board.”

- 2. Page 1, Line 18:
After “programs” and before “.” insert “, and expend dedicated credit monies for the costs of operation of the board.”
- 3. Page 6, Line 170:
After Line 170 insert: “(3) Dedicated credit monies available to the board from Sections 41-1a-1218.5 and 53-15-107 may be used to cover the costs of administration of the board, including employees as necessary for the operation of the board and per diem for board members as provided under Section 53-15-104.”

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Aagard, the report of the Law Enforcement and Criminal Justice committee was adopted.

Sub. H.B. 50, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Transportation Committee reports a favorable recommendation on **S.B. 98**, FEES FOR ELECTRONIC PROCESSING OF CERTAIN MOTOR VEHICLE TRANSACTIONS, by Senator C. Bramble.

Joseph G. Murray, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation committee was adopted.

S.B. 98, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Judiciary Committee reports a favorable recommendation on **S.B. 12**, TRANSPORTATION OF CHILDREN FOR PARENT-TIME, by Senator P. Arent, and recommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on **H.B. 215**, UNIFORM BUILDING STANDARDS AMENDMENTS, by Representative J. S. Adams; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. H.B. 66**, STATE SPENDING LIMITATIONS AMENDMENTS, by Representative G. Hughes, with the following amendments:

1. Page 1, Line 12:
After “limit;” delete “and”
2. Page 1, Line 13:
After “formula” insert “; and
 - ▶ makes technical corrections.”
3. Page 1, Line 19:
After line 19 insert:
“63–38c–102, as last amended by Chapter 16, Laws of Utah 2003”
4. Page 1, Line 24:
After line 24 insert:
“Section 1. Section 63–38c–102 is amended to read:
63–38c–102. Purpose of chapter — Limitations on state mandated property tax, state appropriations, and state debt.
(1) (a) It is the purpose of this chapter to:
(i) place a limitation on the state mandated property tax rate under Title 53A, Chapter 17a, Minimum School Program Act;
(ii) place limitations on state government appropriations based upon [~~the average of changes in personal income and~~] the combined changes in population and inflation; and
(iii) place a limitation on the state’s outstanding general obligation debt.
(b) The limitations imposed by this chapter are in addition to limitations on tax levies, rates, and revenues otherwise provided for by law.
(2) (a) This chapter may not be construed as requiring the state to collect the full amount of tax revenues permitted to be appropriated by this chapter.
(b) This chapter’s purpose is to provide a ceiling, not a floor, limitation on the appropriations of state government.
(3) The recommendations and budget analysis prepared by the Governor’s Office of Planning and Budget and the Office of the Legislative Fiscal Analyst, as required by Title 36, Chapter 12, Legislative Organization, shall be in strict compliance with the limitations imposed under this chapter.”
Re-number remaining sections accordingly.
5. Page 3, Line 63:
After “general” delete “, uniform school, and transportation” and after “fund” insert “and non-uniform school fund income tax revenue”

- 6. Page 3, Lines 64 and 65:

After “sources” bracket the rest of line 64 and all of line 65; and

The Judiciary Committee reports a favorable recommendation on **H.C.R. 3, RESOLUTION URGING PROTECTION OF UNITED STATES FROM WEAPONS OF MASS DESTRUCTION**, by Representative C. Bennion.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

S.B. 12, read the second time by short title and placed on the Consent Calendar.

H.B. 215, Sub. H.B. 66, as amended, and **H.C.R. 3**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

January 30, 2004

The Government Operations Committee recommends **H.B. 217, CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS**, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 217, CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS**; and

The Government Operations Committee reports a favorable recommendation on **S.B. 8, LOCAL REFERENDUM AMENDMENTS**, by Senator B. Evans, with the following amendments:

- 1. Page 1, Lines 11 through 14:

11 This bill:

12 ► corrects a statutory conflict with the Utah Constitution by prohibiting a local law

13 challenged by a referendum ~~[[that has qualified for the ballot]]~~ from ~~[[taking]]~~ having force or effect until

14 it is approved by voters; and

- 2. Page 3, Lines 60 through 65:

60 (4) (a) ~~The local law~~ ~~[[does not take]]~~ has no force or effect unless and until the voters approve the

- 61 challenged local law:
 62 (i) at a regular municipal election or a municipal special election, if
the challenged law
 63 was enacted by a municipality; or
 64 (ii) at a regular general election or a county special election, if the
challenged law was
 65 enacted by a county; and

The Government Operations Committee reports a favorable recommendation on **H.B. 242**, FUNDS CONSOLIDATION ACT – DEPOSIT AMENDMENTS, by Representative D. Clark; and

The Government Operations Committee reports a favorable recommendation on **S.B. 97**, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, by Senator C. Bramble.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

Sub. H.B. 217, S.B. 8, as amended, **H.B. 242**, and **S.B. 97**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.J.R. 9**, RESOLUTION SUPPORTING EFFORTS TO END HOMELESSNESS, by Representative D. Clark, with the following amendments:

1. Page 1, Line 24:
Delete “2,000” and insert “2,500” and delete “3,000” and insert “4,300”
2. Page 2, line 31: Delete “1,500” and insert “250 to 430”

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

H.J.R. 9, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 74**, EXTENSION OF SALES AND USE TAX EXEMPTION FOR STEEL INDUSTRY, by Representative B. Ferry, et al; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.J.R. 11**, RESOLUTION URGING A STUDY ON STATEWIDE UNIFORM FEES IMPOSED ON MOTOR HOMES, by Representative L. Shurtliff.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 74 and **H.J.R. 11**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

Kory M. Holdaway, Chair

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 9**, PROPERTY RIGHTS AMENDMENTS, by Senator C. Walker; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 23**, AMENDMENTS TO MUNICIPAL GOVERNMENT, by Senator T. Hatch; and

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

S.B. 9 and **S.B. 23**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 30, 2004

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 253**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, with the following amendments:

1. Page 1, Lines 13 through 15:

- 13 State Retirement Office;
- 14 ► provides that reemployment restrictions following retirement does not apply to
- 15 ~~[[appointed]]~~ appointive officers;

2. Page 5, Line 131:

131 (10) This section does not apply to ~~[[appointed]]~~ appointive officers or elected positions; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 83**, STATE RETIREMENT – FUNDED RATIO, by Representative A. Hardy; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 53**, ADDITIONAL STATE RETIREMENT BENEFIT, by Representative L. Shurtliff; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.C.R. 4**, RESOLUTION ENCOURAGING LIFETIME AND RETIREMENT SAVINGS ACCOUNTS, by Representative C. Bennion; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.R. 5**, RESOLUTION URGING CONGRESS TO PASS SOCIAL SECURITY RETIREMENT ACCOUNT LEGISLATION, by Representative M. Morley; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.R. 6**, RESOLUTION URGING CONGRESS TO PASS LIFETIME AND RETIREMENT SAVINGS ACCOUNT LEGISLATION, by Representative M. Morley.

David Clark, Chair

Reports filed. On motion of Representative Clark, the reports of the Retirement and Independent Entities committee were adopted.

H.B. 253, as amended, **H.B. 83**, **H.B. 53**, **H.C.R. 4**, **H.R. 5** and **H.R. 6**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 1, Supplemental Appropriations Act (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 2, General Obligation Bonds and Capital Facilities Authorizations (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 3, Supplemental Appropriations Act II (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 127, Certified Medication Aide (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 128, Amendments to Operating Under the Influence (D. Love), read the first time by short title and referred to the Rules Committee.

H.B. 129, Child Protection Team Meetings (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 130, Kindergarten Assessment Requirements (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 131, Eminent Domain Amendments (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 132, Driver License Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 133, Property Tax – Veteran’s Exemption (D. Bush), read the first time by short title and referred to the Rules Committee.

H.B. 134, Provision for Paramedics in Cities of Counties of the Second Class (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 135, Notification of School District of Violent Offense by a Student (M. Lawrence), read the first time by short title and referred to the Rules Committee.

H.B. 136, Electronic Filing of Preliminary Lien Documents (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 137, Campaign Finance Disclosure in Municipal Elections (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 138, Trespassing on State Park Lands (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 139, Evidence Amendments (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 140, Child and Family Services and Related Judicial Amendments (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 141, Abortion Law Amendments (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 142, Audit Requirements for Political Subdivisions (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 143, Special License Plates (C. Duckworth), read the first time by short title and referred to the Rules Committee.

H.B. 144, Special License Plate – Springville High Booster Club (C. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 145, Approval Required for Disposal of Radioactive Waste (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 146, County Cooperative Agreements with State for Fire Protection (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 147, Municipal Code Condemnation Amendments (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 148, Optometry Amendments (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 149, New Automobile Franchise Act (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 150, Workers' Compensation – Fire Department Employees (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 151, Division of Child and Family Services Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 152, Charter School Governance (M. Dillree), read the first time by short title and referred to the Rules Committee.

H.B. 153, Commercial Driver License Amendments (C. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 154, State and Local Government Planning (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 155, State Fair Amendments (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 156, Changes to State Government (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 157, Transportation Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 158, Water Shares in a Municipal Water Company (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 159, Economic Development (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 160, Mortgage Act Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 262, Penalties for Providing False or Misleading Information in Court (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.B. 263, State Retirement System Amendments (B. King), read the first time by short title and referred to the Rules Committee.

H.B. 264, Improving Mental Health Services to the Deaf and Hard-of-hearing Task Force (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 265, Designation of Commemorative Days (D. Bush), read the first time by short title and referred to the Rules Committee.

H.B. 266, Revisions to Child Welfare (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 267, Utah Pharmaceutical Insurance Program (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 268, Child Welfare Processes (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 269, Changing Statutory Presumption (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 270, Residence Requirements for Driver License (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 271, Tuition Tax Credits (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 272, Health Insurance Act – Rate Limitations (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 273, Tax and Charge Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 274, Municipal Weed Abatement (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 275, Adoption Amendments (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 276, Adoption Law Revisions (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 277, Insurance Amendments – Licensing for Sales of Annuities (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 278, Oversight of Mortgage Regulation (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 279, Counterfeit Tobacco Products (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 280, Respect Choice – Special Group License Plates (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 281, Toxic Mold Disclosure (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 282, Utility Regulation (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 283, Department of Agriculture and Food Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 284, Special Group License Plate for Children At Risk (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 285, Limits on Challenges to Moderate Income Housing Plans (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 286, State Railroad Museum License Plates (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 287, Government Records Access and Management Act Revisions (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 288, Process for Submitting Opinion Question to Ballot (R. Becker), read the first time by short title and referred to the Rules Committee.

H.B. 289, Alcoholic Beverage Amendments Related to Minors (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 290, State Employee Compensation Study Task Force (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 291, Safe Drinking Water Act Amendments (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 292, Vehicle Franchise Amendments (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 293, Repeal of National Guard Efficiency Boards (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 294, Purchase of Firearms Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 295, Issuance of Concealed Firearm Permits Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 296, Workers' Compensation Fund Task Force (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 297, Use of Local Education Property Tax Revenues (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 298, Residence Lien Recovery Fund Amendments (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 299, Teacher Accrual of Continuing Education Requirements (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 300, Victim Reparations Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 301, Voter Registration Amendments (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 302, Government Operations Amendments (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 303, Child Welfare Revisions (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 304, Procurement Code Amendments – Recycling (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 305, State Government Revisions (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 306, Property Tax Relief (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 307, Oversight of High School Activities Associations (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 308, Vehicle Restraint System Amendments (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 309, Process for Nonbinding Opinion Question to be Referred to Voters (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 310, Child Support Amendments (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 311, Redevelopment Agency Amendments (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 312, Nonparticipating Tobacco Manufacturer's Fee (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 313, Redevelopment Agency Revisions (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 314, Consumer Protection Revisions (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 315, Local Option Sales and Use Tax Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 316, Recall Election Process (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 317, Study on Immigration Issues and Considerations (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 318, Uniform Fees for Certain Tangible Personal Property (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 319, Utah College of Applied Technology Lease Approval Requirements (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 320, Transferability of Credits Among Higher Education Institutions (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 321, Motor Vehicle Registration Revisions (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 322, Golf Carts Allowed on Neighborhood Streets (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 323, Spyware Regulation (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 324, Safe Drinking Water Act Amendment (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 325, Motor Vehicle Insurance Amendment (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.B. 326, Driving Under the Influence Penalties (D. Love), read the first time by short title and referred to the Rules Committee.

H.B. 327, Impounded Vehicles Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 328, Revenue Bond and Capital Facilities Authorizations (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 329, Income Tax Credit for Donations to School District Foundations (D. Bush), read the first time by short title and referred to the Rules Committee.

H.B. 330, General Government Amendments (D. Peterson), read the first time by short title and referred to the Rules Committee.

H.B. 331, Choice in Health Care (K. Bryson), read the first time by short title and referred to the Rules Committee.

H.B. 332, Veterans Special Group License Plate Amendments (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 333, Signage on Highways (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 334, System of Care Pilot Project (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 335, Penalty for Using Fake Identification (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 336, Claims on Real Property (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 337, Public Service Commission – Consideration of Wireless Providers (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 338, Bottle Bill Amendments (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.B. 339, Motor Vehicle Title Requirements (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 340, Clarification of Use of Acupuncture (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 341, Children's Internet Protection Act (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 342, Gun Show Background Check (S. Daniels), read the first time by short title and referred to the Rules Committee.

H.B. 343, Practice Permit Requirement Amendments (R. Barrus), read the first time by short title and referred to the Rules Committee.

H.B. 344, General Government Changes (B. King), read the first time by short title and referred to the Rules Committee.

H.B. 345, Earned Income Tax Credit (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 346, Individual Income Tax Contributions Amendments (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 347, State Highway Designation Changes (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 348, Citizen Privacy Amendments (M. Thompson), read the first time by short title and referred to the Rules Committee.

H.B. 349, Department of Agriculture and Food Audit Requirements (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 350, Medical Software and Planning (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 351, Uninsured and Underinsured Legislative Task Force Study (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 352, Inheritance Tax Act Amendments (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 353, Public Transportation District Board Amendments (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 354, Salvage Vehicle Amendments (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 355, Child Support Collections (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 356, Halt Utah's Participation in Matrix (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 357, Continuing Education for Real Estate Professionals (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 358, Amendments to General Government (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 359, Use of Mineral Lease Monies by Utah State Fair (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 360, Property Tax Exemption (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 361, Adoption Agency Fees Task Force (S. Daniels), read the first time by short title and referred to the Rules Committee.

H.B. 362, Local Human Services Act (J. Seitz), read the first time by short title and referred to the Rules Committee.

H.B. 363, Government Efficiency and Effectiveness Review Task Force (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 364, Profits from Sale of Crime Memorabilia (S. Daniels), read the first time by short title and referred to the Rules Committee.

H.B. 365, Disclosure of State Employees' Compensation and Benefits (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 366, Repeal of Exemption From Nonresident Tuition (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 367, Participation Allowed in State Retirement System (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 368, Task Force on Legislative Reform (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.B. 369, Utah Retirement Fund Investments (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.C.R. 8, Resolution Recognizing Significance of Reading Readiness (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.C.R. 9, No Child Left Behind Resolution (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.C.R. 10, Resolution Recognizing National Conference of State Legislatures Annual Meeting in Salt Lake (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.C.R. 11, Resolution on Higher Education Remedial Classes (M. Dillree), read the first time by short title and referred to the Rules Committee.

H.C.R. 12, Education Resolution (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.C.R. 13, Western Legends Roundup Resolution (M. Noel), read the first time by short title and referred to the Rules Committee.

H.J.R. 15, Joint Resolution – Submitting Bonding for Open Space to Voters (R. Becker), read the first time by short title and referred to the Rules Committee.

H.J.R. 16, Resolution Amending Rules of Civil Procedure – Judgment (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.J.R. 17, Resolution Urging Action for Apparent Breaches of Utah’s Enabling Act and Federal Constitution (M. Noel), read the first time by short title and referred to the Rules Committee.

H.J.R. 18, Resolution Referring Nonbinding Opinion Question on Education Funding to Voters (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.J.R. 19, Resolution Urging Support of Federal Law Prohibiting Partial Birth Abortion (B. King), read the first time by short title and referred to the Rules Committee.

H.J.R. 20, Resolution Regarding Radiation Exposure Compensation Act (D. Peterson), read the first time by short title and referred to the Rules Committee.

H.J.R. 21, Resolution Demanding State’s Participation in Matrix End Immediately (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.J.R. 22, Joint Resolution Regarding No Child Left Behind (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.J.R. 23, Resolution Urging Study of Incentives for Film Industry Production in Utah (S. Allen), read the first time by short title and referred to the Rules Committee.

H.J.R. 24, Joint Resolution Regarding Roe v. Wade (J. Philpot), read the first time by short title and referred to the Rules Committee.

H.J.R. 25, Joint Resolution on Marriage (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.J.R. 26, Resolution Providing Property Tax Exemption (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.R. 8, House Resolution Regarding No Child Left Behind (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.R. 9, House Rules Resolution Reporting Requirements (C. Bennion), read the first time by short title and referred to the Rules Committee.

H.R. 10, House Rules Resolution Requiring Political Caucuses to be Open (S. Daniels), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.J.R. 3, RESOLUTION URGING CONGRESS TO CONSIDER WITHDRAWING THE UNITED STATES FROM THE UNITED NATIONS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 3, Line 80:
House Committee Amendments
1-26-2004

80 NOW, THEREFORE, BE IT RESOLVED that because the United Nations exercises power and authority to override the sovereignty and self determination of the people of our nation the Legislature of the state of Utah

Representative Bigelow’s motion to amend passed on a voice vote.

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Representative Dougall proposed the following amendment:

- 1. Page 2, Line 45:
Delete “providing” and insert “protecting” and before “rights” insert “God given”

Representative Dougall’s motion to amend passed on a voice vote.

H.J.R. 3, as amended, then passed on the following roll call:

Yeas, 42; Nays, 33; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Agard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bryson | Bush | Buttars | Christensen |
| D. Cox | Dayton | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Hansen |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lockhart | Morley | Murray |
| Newbold | Noel | Peterson | Philpot |
| Seitz | G. Snow | Thompson | Ure |
| Wallace | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|------------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Buffmire | Buxton | D. Clark |
| S. Clark | Curtis | Daniels | Dee |
| Dillree | Duckworth | Dunnigan | Goodfellow |
| Gowans | Hardy | Hendrickson | Jones |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Pace | Shurtliff | Styler | Urquhart |
| Webb | | | |

H.J.R. 3, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Cox, the House voted to uncircle **H.B. 8**.

H.B. 8, UNEMPLOYMENT INSURANCE BENEFITS – SOCIAL SECURITY BENEFITS OFFSET, was before the House on its final passage.

Representative Gowans declared a conflict of interest because he is retired, but works part time.

H.B. 8 then passed on the following roll call:

Yeas, 56; Nays, 18; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dee | Dillree | Duckworth |
| Ferry | Goodfellow | Gowans | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Seitz | Shurtliff |
| Styler | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|----------|----------|
| Adams | Alexander | Curtis | Dayton |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Frank | Kiser | Lockhart | Morley |
| Peterson | Philpot | G. Snow | Thompson |
| Ure | M. Stephens | | |

Absent or not voting was: Representative Hansen

H.B. 8 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 2, 2004

The Rules Committee recommends that **H.B. 93**, DNA Reimbursement Costs (Rep. J. S. Adams), be lifted from the Business and Labor Standing Committee and assigned to the Judiciary Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 102** Residential Mortgage Practices Amendments
(Rep. E. Hutchings)
- H.B. 105** Continuing Education for Contractors (Rep. J. S. Adams)
- 1st Sub. S.B. 14** Insurance Code Exemption (Sen. G. Bell)
- 1st Sub. S.B. 111** Mechanics' Liens Amendments (Sen. S. Jenkins)

EDUCATION

- H.J.R. 12** Resolution – Exception to Subscribing to Stock
Prohibition (Rep. G. Curtis)

HEALTH AND HUMAN SERVICES

- H.B. 86** Primary Care Network Amendments (Rep. K. Holdaway)
- H.B. 101** Mental Health Services Coordinator (Rep. D. Hogue)

JUDICIARY

- 1st Sub. S.B. 24** Marriage Recognition Policy (Sen. D. C. Buttars)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 211** Renewal of Fishing License (Rep. J. M. Philpot)
- H.B. 243** Water Rights Task Force (Rep. M. Styler)
- H.B. 247** Task Force Studying Water Issues (Rep. M. Styler)

REVENUE AND TAXATION

- S.B. 42** Utah Exemption Code Amendments (Sen. D. Gladwell)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 3, 2004, at 10:00 a.m.

SIXTEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present, except Representative Don Bush, excused.

Prayer by Representative Craig Frank. Pledge of Allegiance by Kevin Frank.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 2, 2004

The Senate passed **S.B. 5**, EMPLOYMENT SECURITY MODIFICATIONS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 115**, SPECIAL ELECTION DATES, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 118**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 129**, COMMUNITY ASSOCIATIONS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 5**, **S.B. 115**, **S.B. 118**, and **S.B. 129**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 2, 2004

The Senate passed, **H.B. 15**, MOTOR VEHICLES TITLE AND REGISTRATION AMENDMENTS, by Representative J. Murray, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 15** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 2, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 106**, HEALTH INSURANCE ACT AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 5, Line 151:
After "15 days" reinstate "~~[for monthly premium policies and 30 days for all other policies, for each premium after the first.]~~"
2. Page 5, Line 151:
After "days for" insert "weekly or"
3. Page 6, Line 153:
After "15 days" insert "for weekly or monthly policies"
4. Page 15, Line 452:
452 (ii) may elect to continue to offer new individual and small [[employee]] employer health benefit
5. Page 18, Lines 551 through 552:
551 (6) (a) If [[enrollment in]] the Comprehensive Health Insurance Pool as set forth under
552 Title 31A, Chapter 29, is dissolved or discontinued, or if enrollment is capped or suspended, an individual carrier may decline to accept

Katherine M. Bryson, Chair

Report filed. On motion of Representative Morley, the report of the Business and Labor committee was adopted.

H.B. 106, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 2, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 16**, IDENTITY THEFT AMENDMENTS, by Senator C. Walker; and

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 93**, TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS, by Senator B. Evans; and

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 92**, REPEAL OF UNSOLICITED COMMERCIAL AND SEXUALLY EXPLICIT EMAIL ACT, by Senator P. Arent, and recommends it be placed on the Consent Calendar.

Stephen H. Urquhart, Chair

Reports filed. On motion of Representative Urquhart, the reports of the Public Utilities and Technology committee were adopted.

S.B. 16, read the second time by short title and referred to the Rules Committee due to fiscal impact.

S.B. 93, read the second time by short title and placed on the calendar for third reading.

S.B. 92, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 2, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 179**, VULNERABLE ADULT ABUSE AMENDMENTS, by Representative P. Jones, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 25 through 26

25 (1) As provided in Section 62A-3-305, any ~~any~~ person[, including but not limited to, a social worker, physician, psychologist,

2. Page 2, Line 31

31 (2) Anyone who makes that report in good faith ~~[[or otherwise notifies]]~~ to a law

3. Page 2, Line 41

41 (b) Adult Protective Services will notify the Long-Term Care Ombudsman, as defined in Section 62A-3-202, when the initial report to Adult Protective Services involves a resident of a long-term care facility as defined in Section 62A-3-202. The Long-Term Care Ombudsman and Adult Protective Services shall coordinate, as appropriate, in conducting their investigations.

4. Page 2, Line 46

46 ~~[[e]] (b)] (c)~~ When the initial report or subsequent investigation by ~~an~~ Adult Protective; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 95**, CLARIFICATION OF DEPENDENT HEALTH CARE COVERAGE AMENDMENTS, by Representative T. Kiser, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee recommends **1st Sub. H.B. 207**, HEALTH INSURANCE AMENDMENTS, by Representative R. Lockhart, be replaced and favorably recommends **2nd Sub. H.B. 207**, HEALTH INSURANCE AMENDMENTS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 218**, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION, by Representative C. Bennion, with the following amendments:

1. Page 3, Line 76:

76 ~~conditions that may]~~ The following may ~~[[not]]~~ be the subject of a condition-specific exclusion

2. Page 3, Lines 82 through 84:

82 ~~(B) anal fistula, breast implants, breast reduction, cystocele, [[enuresis]] rectocele, enuresis, hemorrhoids,~~

83 hydrocele, [[hyospadius]] hyospadius, uterine leiomyoma, [[varicocele]] varicocele, spermatocoele, endometriosis;

84 ~~(C) cleft lip, cleft palate, when existing at time of application, deviated nasal septum, and other sinus related conditions;~~

3. Page 3, Line 89:

89 ~~(F) [[Baker]] Baker's cyst;~~

4. Page 4, Lines 93 through 95:

93 (A) shall be limited to the excluded condition; ~~[[and]]~~

94 (B) may not extend to any secondary medical condition that may or may not be directly

95 related to the excluded condition ; and

(C) must include the following informed consent paragraph: "I

agree by signing below, to the terms of this rider, which excludes coverage for all treatment, including medications, related to specific condition(s) stated herein and that if treatment or medications are received that I have the responsibility for payment for those services and items. I further understand that this rider does not extend to any secondary medical condition that may or may not be directly related to the excluded condition(s) herein.”

Mike Thompson, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Health and Human Services committee were adopted.

H.B. 179, as amended, and **H.B. 95**, read the second time by short title and placed on the Consent Calendar.

2nd Sub. H.B. 207 and **H.B. 218**, as amended, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.J.R. 8, RESOLUTION AUTHORIZING THE LEGISLATURE TO CALL ITSELF INTO SESSION, read the third time by short title and placed on its final passage.

H.J.R. 8 then passed on the following roll call:

Yeas, 60; Nays, 7; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morgan | Morley |
| Murray | Newbold | Noel | Peterson |
| Philpot | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|---------|-------|-----------|-------|
| Daniels | Jones | Litvack | McGee |
| Moss | Pace | Shurtliff | |

Absent or not voting were: Representatives

| | | | |
|--------------|-----------|-----------|------------|
| Bryson | Bush | Duckworth | Goodfellow |
| E. Hutchings | McCartney | Seitz | G. Snow |

H.J.R. 8 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Morley, the House voted to uncircle **H.B. 181**.

H.B. 181, FLUORINE COST REQUIREMENTS, was before the House on its final passage.

On motion of Representative Morley, the House voted to delete **H.B. 181** in title and body and insert **Sub. H.B. 181** in lieu thereof.

Representative Allen proposed the following amendment:

1. Page 1, Lines 13 through 22

13 This bill:

14 ▶ requires that local governments adopt estimates about the cost of adding fluorine to

15 a water system before and after an election to determine whether or not to add

16 fluorine is held;

 ▶ requires that the governing body of a local government inform water systems within its jurisdiction that a petition to add fluorine is being circulated;

 ▶ requires the governing body to constitute a committee to develop recommended cost estimates, and defines the membership and duties of the committee;

17 ▶ when the final estimate of the cost of adding fluorine to the water system exceeds

18 the original cost estimate by more than 25%, authorizes the local government to

19 cancel the decision to add fluorine to the water system, resubmit the question of

20 adding fluorine to the water system to the voters, or inform the voters of their right

21 to seek an initiative petition cancelling the decision to add fluorine to the water

22 system unless certain conditions are met; and

2. Page 3, Line 86 through Page 4, Line 97:

86 (3) (a) Whenever an application for a petition requesting the addition of fluorine to a public water system is filed, the governing body shall:

(i) give notice that the petition is being circulated to every water system that would be required to add fluorine under the petition; and

(ii) direct each water system to begin developing a preliminary total cost estimate for the water system.

(b) Within 30 working days after a petition seeking the addition of fluorine to a

87 public water system is declared qualified for the ballot, the sponsors of the petition shall file a

88 preliminary total cost estimate with the governing body.

(c) (i) The governing body shall refer the preliminary total cost estimate to a the Fluorine Cost Review Committee constituted as required in Subsection (3)(c)(ii).

(ii) The governing body shall establish a Fluorine Cost Review Committee composed of :

(A) a representative from each water system that is or may be affected by the petition who has experience in the water system's accounting, finance, and procurement system and who has authority to commit the water system to a preliminary cost estimate;

(B) a representative from the governing body's planning entity, who shall serve as chair; and

(C) a representative from the county health department.

(iii) The Fluorine Cost Review Committee shall:

(A) meet as often as necessary;

(B) review the preliminary total cost estimate submitted by the petition sponsors;

(C) develop and adopt a recommended preliminary total cost estimate that represents the Fluorine Cost Review Committee's best estimate of

the cost to add fluorine to all of the water systems affected by the petition;
and
(D) submit the recommended preliminary total cost estimate to the governing body.

89 ~~[(b)]~~ (d) (i) Whether the election to determine whether or not fluorine should be added to a

90 public water system was triggered by petition or by the governing body, the governing body

91 that has jurisdiction over the water system shall, no later than 45 calendar days before the date

92 of the election~~[[]]~~ :

(A) review the recommended preliminary total cost estimate received from the Fluorine Cost Review Committee; and

(B) adopt ~~[[a]]~~ the official preliminary total cost estimate that estimates the total cost of adding

93 fluorine to all of the water ~~[[system]]~~ systems affected by the petition .

94 (ii) If the governing body fails to adopt ~~[[the]]~~ an official preliminary total cost estimate no later than

95 45 calendar days before the date of the election, the preliminary total cost estimate submitted

96 by the petition sponsors is considered adopted and becomes the official preliminary total cost

97 estimate.

3. Page 4, Lines 106 through 116:

106 (5) (a) (i) If the voters vote to add fluorine to one or more water systems, the governing body shall direct the Fluorine Cost Review Committee to meet to develop a recommended final total cost estimate.

(ii) The Fluorine Cost Review Committee shall meet and:

(A) adopt a recommended final total cost estimate that represents the Fluorine Cost Review Committee's best estimate of the cost to add fluorine to all of the water systems affected by the petition; and

(D) submit the recommended final total cost estimate to the governing body.

(b) No later than 180 calendar days after the date of an election in which the voters

107 vote to add fluorine to a water system, the governing body shall :
(i) review the recommended final total cost estimate received from the
Fluorine Cost Review Committee; and
(ii) adopt a final total cost

108 estimate.

Representative Allen's motion to amend passed on a voice vote.

Sub. H.B. 181, as amended, then passed on the following roll call:

Yeas, 67; Nays, 3; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | |
|---------|-------|-------|
| Daniels | Ferry | Hogue |
|---------|-------|-------|

Absent or not voting were: Representatives

| | | | |
|------------|------|--------|-----|
| Alexander | Bush | Dayton | Dee |
| B. Johnson | | | |

Sub. H.B. 181, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **H.B. 28**.

H.B. 28, TRANSPORTATION PLANNING TASK FORCE, was before the House on its final passage.

Representative Dee proposed the following amendment:

1. Page 1, Lines 21 through 23

21 This bill:

22 ▶ makes a one-time appropriation of ~~[[\$14,500]]~~ \$17,000
from the General Fund for fiscal year

23 2004-05 to pay for task force expenses.

2. Page 2, Lines 32 through 37:

32 (1) There is created the Transportation Planning Task Force
consisting of the following

33 ~~[[12]]~~ 14 members:

34 (a) five members of the Senate appointed by the president of the
Senate, no more than

35 four of whom may be from the same political party; and

36 (b) ~~[[seven]]~~ nine members of the House of Representatives
appointed by the speaker of the

37 House of Representatives, no more than ~~[[five]]~~ six of whom may
be from the same political party.

3. Page 3, Lines 64 through 68:

64 There is appropriated from the General Fund for fiscal year
2004-05:

65 (1) ~~[[\$6,000]]~~ \$6,000 to the Senate to pay for the compensation and expenses
of senators on the

66 task force; and

67 (2) ~~[[\$8,500]]~~ \$11,000 to the House of Representatives to pay for
the compensation and expenses

68 of representatives on the task force.

Representative Dee's motion to amend passed on a voice vote.

H.B. 28, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-----------|------|---------|
| Alexander | Bush | Daniels |
|-----------|------|---------|

H.B. 28, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Shurtliff, the House voted to uncircle **H.B. 46**.

H.B. 46, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, was before the House on its final passage.

Representative Harper proposed the following amendment:

1. Page 2, Lines 43a through 43g
House Committee Amendments
1-21-2004

43a ĥ (v) IN ACCORDANCE WITH TITLE 63, CHAPTER 46b,
UTAH ADMINISTRATIVE RULEMAKING

43b ACT, THE STATE BOARD OF EDUCATION SHALL MAKE
RULES:

43c (A) REQUIRING A PARENT OR GUARDIAN OF A STUDENT APPLYING FOR A FEE WAIVER TO

43d PROVIDE DOCUMENTATION AND CERTIFICATION TO THE SCHOOL THAT VERIFY THE STUDENT'S

43e ELIGIBILITY TO RECEIVE THE WAIVER; AND

43f (B) SPECIFYING THE ACCEPTABLE FORMS OF DOCUMENTATION FOR THE REQUIREMENT

43g UNDER SUBSECTION (1)(b)(v)(A) which shall include a verification based on income tax returns if the parent or guardian was required to file a return . h

Representative Christensen proposed the following amendment:

- 1. Page 2, Lines 42 through 43g
House Committee Amendments
1-21-2004

42 (iv) The waiver provisions in Subsections (2) and (3) apply to all other fees, deposits,

43 and charges made in the secondary schools.

43a h (v) IN ACCORDANCE WITH TITLE 63, CHAPTER 46b, UTAH ADMINISTRATIVE RULEMAKING

43b ACT, THE STATE BOARD OF EDUCATION SHALL MAKE RULES:

43c (A) REQUIRING A PARENT OR GUARDIAN OF A STUDENT APPLYING FOR A FEE WAIVER TO

43d PROVIDE DOCUMENTATION AND CERTIFICATION TO THE SCHOOL THAT VERIFY : (I) THE STUDENT'S

43e ELIGIBILITY TO RECEIVE THE WAIVER; AND (II) the alternatives for satisfying the fee requirements under Subsection (2) have been complied with to the fullest extent reasonably possible according to the individual circumstances of both the fee waiver applicant and the school; and

43f (B) SPECIFYING THE ACCEPTABLE FORMS OF DOCUMENTATION FOR THE REQUIREMENT

43g UNDER SUBSECTION (1)(b)(v)(A), which shall include a verification based on income tax returns if the parent or guardian was required to file a return h

Representative Christensen's motion to amend passed on a voice vote.

###

Representative Dougall proposed the following amendment:

1. Page 3, Lines 61 through 69

61 (5) ~~[(a)]~~ To compensate school districts for impacts of fee
waivers, the State Board of

62 Education may distribute funds to school districts as provided in
this Subsection (5).

63 ~~[(b) To qualify for funds distributed under this Subsection (5), at~~
least 30% of the

64 students enrolled in grades 9 through 12 in the school district shall
be eligible for free school

65 lunch.]

66 ~~[(e)]~~ (b) Each school district ~~[[qualifying under Subsection~~
~~(5)(b)]~~ shall receive up to \$40 per

67 student in grades 9 through 12 eligible for free school lunch.

68 ~~[(d)]~~ (c) The State Board of Education may make rules specifying
procedures for the

69 application for and distribution of funds under this Subsection (5).

Representative Dougall's motion to amend passed on the following roll call:

Yeas, 47; Nays, 24; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Buttars | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Holdaway | E. Hutchings | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morley | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-----------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Bryson | Buffmire | Buxton | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Hogue | Hughes | Jones |
| King | Litvack | McCartney | McGee |
| Morgan | Moss | Murray | Shurtliff |

Absent or not voting were: Representatives

| | | | |
|----------|------|---------|----------|
| S. Allen | Bush | Dillree | Thompson |
|----------|------|---------|----------|

H.B. 46, as amended, then passed on the following roll call:

Yeas, 53; Nays, 18; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|--------------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Buttars | Buxton | Christensen | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Dougall | Duckworth | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Shurtliff | Ure | Wallace |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|---------|----------|
| Alexander | Bigelow | Bird | D. Clark |
| S. Clark | Donnelson | Frank | Last |
| Morley | Newbold | Pace | Peterson |
| Philpot | Seitz | G. Snow | Thompson |
| Urquhart | Webb | | |

Absent or not voting were: Representatives

| | | | |
|------|----------|------------|--------|
| Bush | Dunnigan | B. Johnson | Styler |
|------|----------|------------|--------|

H.B. 46, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 3, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

S.B. 129 Community Associations (Sen. M. Waddoups)

EDUCATION

H.B. 107 Appropriation to Meet Highly Qualified Teacher Standards (Rep. K. Holdaway)

H.B. 248 Disclosure of Higher Education Costs (Rep. R. Bigelow)

GOVERNMENT OPERATIONS

H.J.R. 14 Resolution Providing for Recall of Elected Officials (Rep. D. Hogue)

S.B. 115 Special Election Dates (Sen. C. Bramble)

HEALTH AND HUMAN SERVICES

H.B. 90 Access to Child Welfare Hearings (Rep. M. Morley)

H.B. 120 Child Welfare Funding for In-home Services (Rep. M. Thompson)

H.B. 241 Commitment for Mental Retardation (Rep. C. Bird)

H.B. 244 Amendments to Asset Testing for Medicaid (Rep. D. Hogue)

H.B. 249 Nursing Care Facility Medicaid Certification Amendments (Rep. R. Lockhart)

JUDICIARY

H.B. 97 Protective Order Amendments (Rep. K. Holdaway)

S.B. 118 Judiciary Amendments (Sen. L. Hillyard)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 118 Brand Inspection Amendments (Rep. D. Ure)

H.B. 119 Fencing Responsibilities with Greenbelt or Conservation Easement (Rep. D. Ure)

H.B. 255 Wildlife Restitution Amendments (Rep. R. Barrus)

POLITICAL SUBDIVISIONS

H.B. 162 Candidacy for Municipal Elections (Rep. J. Dougall)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

S.B. 5 Employment Security Modifications (Sen. S. Jenkins)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:07 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 3, 2004

The Senate passed, as substituted, and amended **2nd Sub. S.B. 82**, DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed **S.B. 46**, SUNSET DATE EXTENSION OF DIVISION OF OIL, GAS AND MINING, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 86**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed **S.B. 109**, INDIVIDUAL INCOME TAX CONTRIBUTIONS FOR EDUCATION, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed **S.B. 112**, UNIFORM ANATOMICAL GIFT ACT AMENDMENTS, by Senator K. Hale, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 82**, **S.B. 46**, **S.B. 86**, **S.B. 109**, and **S.B. 112**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 3, 2004

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 92**, BRUCELLOSIS VACCINATION AMENDMENTS, by Representative B. Johnson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 92**, BRUCELLOSIS VACCINATION AMENDMENTS with the following amendments:

1. Page 2, Line 30:
After "Feedlot," insert "or"
2. Page 2, Line 31:
After "arrival" delete ","
3. Page 2, Line 32:
Delete "(e)"; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 94**, MINE CERTIFICATION REQUIREMENTS, by Senator M. Dmitrich; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 235**, TURKEY HUNTING PERMITS, by Representative D. G. Buxton; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 71**, WATER CONSERVATION PLANS, by Representative J. Buffmire, be replaced and reports a favorable recommendation on **1st Sub. H.B. 71**, WATER CONSERVATION PLANS with the following amendments:

1. Page 1, Lines 11 and 12:
Delete lines 11 and 12
2. Page 1, Line 12:
After line 12 insert:
 - ▶ provides for publishing of a report identifying entities who do not have a current water conservation plan;"
3. Page 2, Lines 29 and 30:
Delete lines 29 and 30
4. Page 2, Lines 33 through 41:
Delete lines 33 through 41

- 5. Page 2, Line 42:
After “Section” delete “2” and insert “1”
- 6. Page 5, Line 130:
After “board shall” delete “send” and insert “publish” and after “report” delete “to the state auditor” and insert “in a paper of state-wide distribution”
- 7. Page 5, Lines 133 through 135:
Delete lines 133 through 135

Renumber remaining subsections accordingly

Craig W. Butters, Chair

Reports filed. On motion of Representative Butters, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

Sub. H.B. 92, as amended, **S.B. 94**, **H.B. 235**, and **Sub. H.B. 71**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 3, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 21**, DRUG OFFENDERS REFORM ACT, by Senator D. C. Butters; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 103**, SPECIAL DISTRICT FOR POLICE SERVICES, by Representative T. McCartney; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 73**, ESCAPE AMENDMENTS, by Senator T. Hatch.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

S.B. 21, read the second time by short title and referred to the Rules committee due to fiscal impact.

H.B. 103 and **S.B. 73**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 3, 2004

The Judiciary Committee reports a favorable recommendation on **S.B. 84**, PARTY TO FELONY OFFENSE ENHANCEMENT, by Senator M. Waddoups; and

The Judiciary Committee reports a favorable recommendation on **H.B. 96**, STATUTE OF REPOSE, by Representative J. S. Adams, with the following amendments:

1. Page 1, line 8:
After "twelve to" delete "six" and insert "eight"
2. Page 1, line 12:
After "property to" delete "six" and insert "eight"
3. Page 3, line 68:
After [42] delete "six" and insert "eight"
4. Page 3, line 70:
After [42] delete "six" and insert "eight"; and

The Judiciary Committee recommends **H.B. 42**, INTEREST RATES ON JUDGMENTS, by Representative J. Dunnigan, be replaced and favorably recommends **1st Sub. H.B. 42**, INTEREST RATES ON JUDGMENTS; and

The Judiciary Committee reports a favorable recommendation on **H.B. 234**, SUNSET EXTENSION ON UNAUTHORIZED PRACTICE OF LAW, by Representative S. Urquhart.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Snow, the reports of the Judiciary committee were adopted.

S.B. 84, **H.B. 96**, as amended, **Sub. H.B. 42**, and **H.B. 234**, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 213, CHANGES TO INVESTMENT ADVISORY COMMITTEE, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 213**.

* * *

H.B. 205, STATE SETTLEMENT AGREEMENTS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 205 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative
Curtis

Absent or not voting were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Anderson | Bryson | Bush | D. Clark |
| Dougall | Ferrin | Shurtliff | |

H.B. 205 transmitted to the Senate for its consideration.

* * *

H.C.R. 7, RESOLUTION RECOGNIZING LEGISLATORS BACK TO SCHOOL WEEK, read the third time by short title and placed on its final passage.

H.C.R. 7 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Anderson | Bryson | Bush | D. Clark |
| Dougall | Ferrin | Shurtliff | |

H.C.R. 7 transmitted to the Senate for its consideration.

* * *

H.C.R. 2, INDIVIDUALS WITH DISABILITIES ACT, read the third time by short title and placed on its final passage.

H.C.R. 2, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |

| | | | |
|--------------|------------|-------------|------------|
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|---------|--------|-----------|
| Anderson | Becker | Bush | D. Clark |
| Curtis | Dougall | Ferrin | Shurtliff |

H.C.R. 2, as amended, transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 198, CHILD WELFARE COURT REPORTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **2nd Sub. H.B. 198**.

* * *

H.B. 60, PROTECTION OF CHILDREN IN FOSTER CARE, read the third time by short title and placed on its final passage.

H.B. 60, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |

| | | | |
|------------|--------------|-------------|-----------|
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------|--------|-----------|----------|
| Bush | Ferrin | McCartney | Urquhart |
|------|--------|-----------|----------|

H.B. 60, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **H.B. 213**.

H.B. 213, CHANGES TO INVESTMENT ADVISORY COMMITTEE, was before the House on its final passage.

H.B. 213 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|-------------|-----------|--------------|------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|----------|-------------|
| Bryson | Bush | Daniels | Dillree |
| Hendrickson | McCartney | Urquhart | M. Stephens |

H.B. 174, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 200, RECOGNITION OF FOREIGN ADOPTIONS, read the third time by short title and placed on its final passage.

Sub. H.B. 200 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |

| | | | |
|----------|----------|----------|-----------|
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|---------|-------------|
| Bush | Daniels | Dillree | Hendrickson |
| Hogue | McCartney | Seitz | Urquhart |
| M. Stephens | | | |

Sub. H.B. 200 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Thompson, the House voted to uncircle **2nd Sub. H.B. 198**.

2nd Sub. H.B. 198, CHILD WELFARE COURT REPORTS, was before the House on its final passage.

Representative Thompson proposed the following amendment:

1. Page 4, Lines 92 through 96:

- 92 (b) The disclosure required under Subsection (5)(a) shall be made:
- 93 (i) for dispositional hearings under Sections 78-3a-310 and
78-3a-311 ~~[[and proceedings~~
- 94 ~~under Title 78, Chapter 3a, Part 4, Termination of Parental Rights~~
Act]], no less than five days
- 95 before the proceeding:
(ii) for proceedings under Title 78, Chapter 3a, Part 4, Termination
of Parental Rights Act, in accordance with Utah Rules of Civil
Procedure, and
- 96 [[~~(ii)~~] (iii) for all other proceedings, no less than three days before
the proceeding.

Representative Thompson's motion to amend passed on a voice vote.

2nd Sub. H.B. 198, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|-------------|---------|-----------|
| Bush | Daniels | Dillree | Donnelson |
| Hansen | Hendrickson | Love | Urquhart |
| M. Stephens | | | |

2nd Sub. H.B. 198, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.C.R. 5, RESOLUTION URGING FEDERAL TAX CUTS TO BE MADE PERMANENT, read the third time by short title and placed on its final passage.

On motion of Representative Allen, the House voted to circle **H.C.R. 5**.

* * *

Sub. H.B. 202, MAIL ORDER TOBACCO SALES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hutchings, the House voted to circle **Sub. H.B. 202**.

* * *

H.B. 79, RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE, read the third time by short title and placed on its final passage.

Representative Duckworth proposed the following amendment:

- 1. Page 3, Line 65:
 After line 65 insert:
“(3) This section does not apply to a contract or agreement entered into before May 3, 2004.”

Representative Duckworth’s motion to amend passed on a voice vote.

H.B. 79, as amended, then passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|--------------|------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hardy |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|---------|-------------|
| Adams | Bush | Daniels | Dee |
| Dillree | Hansen | Harper | Hendrickson |
| Hogue | King | Love | M. Stephens |

H.B. 79, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Allen, the House voted to uncircle **Sub. H.B. 64**.

Sub. H.B. 64, AMENDMENTS TO LOCAL OPTION SALES TAX, was before the House on its final passage.

Sub. H.B. 64, as amended, then passed on the following roll call:

Yeas, 47; Nays, 21; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|--------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| S. Clark | D. Cox | Duckworth | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-------------|-------------|----------|----------|
| Alexander | Bennion | Bigelow | Buttars |
| Buxton | Christensen | D. Clark | Curtis |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Frank | Harper | Hughes | Lockhart |
| Morley | Peterson | Philpot | Urquhart |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|----------|-----|
| Bush | Daniels | Dayton | Dee |
| Dillree | Hendrickson | Thompson | |

Sub. H.B. 64, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Bennion, the House voted to uncircle **H.C.R. 5**.

H.C.R. 5, RESOLUTION URGING FEDERAL TAX CUTS TO BE MADE PERMANENT, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 1, line 2;
After "PERMANENT" insert "AND A REDUCTION IN THE FEDERAL DEFICIT"
2. Page 2, line 2:
After line 42 insert:
"BE IT FURTHER RESOLVED that the Legislature, the Governor concurring therein, urge Utah's congressional delegation to vote in favor of reducing spending and the federal deficit in conjunction with making tax cuts permanent."

Representative Allen's motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 2, Line 42:
After "permanent" insert "as well as a constitutional balanced budget amendment"

Representative Hansen's motion to amend failed on the following roll call:

Yeas, 18; Nays, 47; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-----------|-------------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Duckworth | Goodfellow | Hansen | Hendrickson |
| Jones | King | Litvack | McCartney |
| Morgan | Morley | Moss | Peterson |
| Shurtliff | Styler | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Harper | Hogue |
| Holdaway | Hughes | B. Johnson | Kiser |
| Lawrence | Lockhart | Love | Mascaro |
| McGee | Murray | Newbold | Noel |
| Pace | Philpot | Seitz | G. Snow |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------|--------------|---------|----------|
| Bush | Curtis | Dillree | Gowans |
| Hardy | E. Hutchings | Last | Thompson |
| Ure | Urquhart | | |

H.C.R. 5, as amended, then passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|---------|------------|-----------|-------------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Goodfellow | Gowans | Hendrickson |
| King | Litvack | McCartney | McGee |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | | |
|----------|------|----------|
| S. Allen | Bush | Urquhart |
|----------|------|----------|

H.C.R. 5, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **Sub. H.B. 54**.

Sub. H.B. 54, VIDEOTAPE OF MINORS, was before the House on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Lines 13 through 14

13 ▶ requires that the child and interviewer be
simultaneously recorded;[[and]]

14 ▶ requires that the recording be continuous and display
time and date ;

 ▶ provides that interviews are to be conducted in an
existing facility, when available;

 ▶ encourages a worker to audiotape all interactions with a
child; and

 ▶ allows an accompanying parent or guardian to audiotape
interactions between the worker and the child .

2. Page 2, Lines 26 through 34:

26 (1) Interviews of children during an investigation in accordance
with Section 62A-4a-409

27 shall be conducted only under the following conditions:

28 [[{(1)}] (a) the interview shall be recorded visually and aurally on
film, videotape, or by other

29 electronic means;

30 [[{(2)}] (b) both the interviewer and the child shall be simultaneously
recorded and visible on

31 the final product;

32 [[{(3)}] (c) the time and date of the interview shall be continuously
and clearly visible to any

33 subsequent viewer of the recording; and

34 [[{(4)}] (d) the recording equipment shall run continuously for the
duration of the interview.

(2) If reasonably available, interviews conducted in accordance
with this section shall be carried out in an existing interview room or
division offices. If circumstances require that an interview take place
outside of a prepared facility, the interviewer shall use the best
equipment available under the circumstances.

(3) A worker who meets with a child for any reason shall be
encouraged to record any interaction by means of audiotape.

(4) A parent or guardian who accompanies a child while meeting

with a worker may not be prohibited from audiotaping the interaction between the child and worker.

Representative Harper's motion to amend passed on a voice vote.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 54**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 4, 2004, at 10:00 a.m.

SEVENTEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Calvin G. Bird.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 3, 2004

The Senate passed, as substituted, and amended **2nd Sub. S.B. 19**, SALES AND USE TAXES – EXEMPTION FOR ENERGY RELATED EQUIPMENT AND MACHINERY, by Senator L. Blackham, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. S.B. 19**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 3, 2004

The Political Subdivisions Committee recommends **H.B. 111**, MUNICIPAL GOVERNMENT AMENDMENTS, by Representative W. Harper, be replaced and reports a favorable recommendation on **1st Sub. H.B. 111**, MUNICIPAL GOVERNMENT AMENDMENTS with the following amendments:

1. Page 12, Lines 353 through 355:

353 (3) [~~Before December 31, 1998, each municipal~~] The legislative body of each city of

354 the first, second, [[or]] third, or fourth class shall, as part of its general plan, adopt a plan for moderate

355 income housing within that municipality.

2. Page 13, Lines 373 through 377:

373 (5) (a) After adoption of a plan for moderate income housing under
 Subsection (3), the

374 legislative body of each city [~~that is located within a county of the
 first or second class and of~~

375 ~~each other city~~] of the first, second, ~~[[or]]~~ third~~[[]]~~, or fourth~~[[]]~~
 class shall annually:

376 (i) review the plan and its implementation; and

377 (ii) prepare a report setting forth the findings of the review.

3. Page 13, Lines 387 through 390:

387 (c) The legislative body of each city [~~that is located within a county
 of the first or~~

388 ~~second class and of each other city~~] of the first, second, ~~[[or]]~~
 third~~[[]]~~, or fourth~~[[]]~~ class shall send a

389 copy of the report under Subsection (5)(a)(ii) to the Department of
 Community and Economic

390 Development and the association of governments in which the
 municipality is located.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the
 Political Subdivisions committee were adopted.

Sub. H.B. 111, as amended, read the second time by short title and placed on
 the calendar for third reading.

THIRD READING CALENDAR

S.B. 13, RESORT COMMUNITIES TAX AMENDMENTS, read the third
 time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 13**.

* * *

S.B. 15, CARRYOVER OF AUTHORIZED CAPITAL OUTLAY
 AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 15**.

* * *

S.B. 10, AMENDMENTS TO LOCAL REFERENDUM PROCESS, read the third time by short title and placed on its final passage.

On motion of Representative Bowman, the House voted to circle **S.B. 10**.

* * *

Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, read the third time by short title and placed on its final passage.

On motion of Representative Philpot, the House voted to circle **Sub. S.B. 68**.

* * *

S.B. 27, TELEPHONE AND FACSIMILE SOLICITATION ACT, read the third time by short title and placed on its final passage.

S.B. 27 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Shurtliff |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|--------|------------|
| Bowman | Curtis | Ferrin | B. Johnson |
| King | Moss | Seitz | G. Snow |

S.B. 27 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 98, FEES FOR ELECTRONIC PROCESSING OF CERTAIN MOTOR VEHICLE TRANSACTIONS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 98**.

* * *

S.B. 8, LOCAL REFERENDUM AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle **S.B. 8**.

* * *

S.B. 97, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 97**.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **S.B. 15**.

S.B. 15, CARRYOVER OF AUTHORIZED CAPITAL OUTLAY AMENDMENTS, was before the House on its final passage.

S.B. 15 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|---------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |

| | | | |
|--------------|------------|-------------|----------|
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|-------|------|
| Curtis | Ferrin | Hardy | King |
|--------|--------|-------|------|

S.B. 15 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Dayton, the House voted to uncircle **S.B. 6**.

S.B. 6, REFURBISHED COMPUTERS IN SCHOOLS, was before the House on its final passage.

S.B. 6 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lawrence | Litvack | Lockhart |

| | | | |
|----------|-------------|----------|---------|
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|-------|------|
| Curtis | Ferrin | Jones | King |
| Mascaro | | | |

S.B. 6 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Lockhart, the House voted to uncircle **S.B. 98**.

S.B. 98, FEES FOR ELECTRONIC PROCESSING OF CERTAIN MOTOR VEHICLE TRANSACTIONS, was before the House on its final passage.

S.B. 98 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|---------|---------|
| Curtis | Donnelson | Ferrin | Gowans |
| Hughes | Jones | Mascaro | Philpot |
| Thompson | Urquhart | | |

S.B. 98 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 9, PROPERTY RIGHTS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Christensen, the House voted to circle **S.B. 9**.

* * *

S.B. 23, AMENDMENTS TO MUNICIPAL GOVERNMENT, read the third time by short title and placed on its final passage.

On motion of Representative Noel, the House voted to circle **S.B. 23**.

* * *

S.B. 93, TELECOMMUNICATIONS ANNUAL REPORT, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **S.B. 93**.

* * *

S.B. 94, MINE CERTIFICATION REQUIREMENTS, read the third time by short title and placed on its final passage.

On motion of Representative King, the House voted to circle **S.B. 94**.

UNFINISHED BUSINESS

On motion of Representative Ure, the House voted to uncircle **S.B. 13**.

S.B. 13, RESORT COMMUNITIES TAX AMENDMENTS, was before the House on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 13**.

* * *

On motion of Representative King, the House voted to uncircle **S.B. 94**.

S.B. 94, MINE CERTIFICATION REQUIREMENTS, was before the House on its final passage.

S.B. 94 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Donnelson |
| Duckworth | Dunnigan | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|----------|-------------|
| S. Allen | Anderson | Buffmire | Dayton |
| Dougall | Ferrin | Ferry | Hendrickson |
| Jones | Mascaro | Philpot | Seitz |
| Urquhart | | | |

S.B. 94 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Hogue, the House voted to uncircle **S.B. 8**.

S.B. 8, LOCAL REFERENDUM AMENDMENTS, was before the House on its final passage.

Representative Hogue proposed the following amendment:

1. Page 1, Line 19:
Delete “None” and insert “This bill takes effect immediately.”
2. Page 3, Line 68:
After line 68:
“Section 2. Effective date.
If approved by two–thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.””

Representative Hogue’s motion to amend passed on a voice vote.

S.B. 8, as amended, then passed on the following roll call:

Yeas, 41; Nays, 26; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Anderson | Barrus | Becker |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | Daniels | Dunnigan |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Last | Litvack | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Ure | Urquhart |
| Wallace | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|---------|----------|
| Adams | Alexander | Bennion | Bird |
| Buttars | S. Clark | D. Cox | Curtis |
| Dee | Donnelson | Dougall | Ferry |
| Frank | Goodfellow | Hughes | Kiser |
| Lawrence | Lockhart | Love | Morley |
| Noel | Peterson | Styler | Thompson |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|---------|-----------|
| S. Allen | Dayton | Dillree | Duckworth |
| Ferrin | Hendrickson | Jones | Mascaro |

S.B. 8, as amended, was held for possible reconsideration.

THIRD READING CALENDAR

S.B. 73, ESCAPE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Cox, the House voted to circle **S.B. 73**.

* * *

S.B. 84, PARTY TO FELONY OFFENSE ENHANCEMENT, read the third time by short title and placed on its final passage.

S.B. 84 then passed on the following roll call:

Yeas, 64; Nays, 8; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Dougall | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|----------|-------------|
| Bennion | Donnelson | Frank | Hughes |
| Morley | Philpot | Thompson | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|--------|-------|
| S. Allen | Ferrin | Hogue |
|----------|--------|-------|

S.B. 84 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Philpot, the House voted to uncircle **Sub. S.B. 68.**

Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, was before the House on its final passage.

Representative Litvack proposed the following amendment:

1. Page 2, Line 44:
After "reimburse." delete "either" and after "directly" delete "or indirectly"

Representative Litvack's motion to amend failed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 2, Line 49:
Delete "or fear of retaliation"

Representative Hansen's motion to amend failed on a voice vote.

###

Representative Daniels proposed the following amendment:

1. Page 1, Line 22–23:
Delete lines 22 and 23.
2. Page 2, Line 39:
Reinstate "[œ]" and delete ", or 76–7–326"
3. Page 2, Lines 57–60:
Delete lines 57 through 60.

Representative Philpot proposed the following substitute motion to amend:

1. Page 2, Line 52:
After "woman" insert "provided that a caesarian procedure or other medical procedure that could save the life of the child is not a viable option"

Representative Philpot's motion to amend passed on a voice vote.

###

Representative Daniels proposed the following amendment:

1. Page 1, Line 22–23:
Delete lines 22 and 23.
2. Page 2, Line 39:
Reinstate “[œf]” and delete “,or 76–7–326”
3. Page 2, Lines 57–60:
Delete lines 57 through 60.

Representative Ure proposed the following substitute motion to amend:

1. Page 2, Line 58:
Delete “If the”
2. Page 3, Line 59–60:
Delete lines 59 through 60.

Representative Ure's motion to amend passed on the following roll call:

Yeas, 37; Nays, 32; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-----------|-------------|
| Anderson | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | D. Cox | Daniels |
| Dougall | Duckworth | Dunnigan | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Holdaway | E. Hutchings | Jones | King |
| Kiser | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Pace | Shurtliff | Styler |
| Ure | | | |

Voting in the negative were: Representatives

| | | | |
|---------|--------|-------------|-----------|
| Agard | Adams | Alexander | Barrus |
| Buttars | Buxton | Christensen | S. Clark |
| Curtis | Dayton | Dee | Donnelson |
| Ferry | Frank | Harper | Hogue |

| | | | |
|----------|------------|---------|-------------|
| Hughes | B. Johnson | Last | Lockhart |
| Morley | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | G. Snow |
| Thompson | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|---------|----------|---------|
| S. Allen | Bennion | D. Clark | Dillree |
| Ferrin | Webb | | |

###

Representative Daniels proposed the following amendment:

1. Page 1, Line 22–23:
Delete lines 22 and 23.
2. Page 2, Line 39:
Reinstate “[œf]” and delete “, or 76–7–326”
3. Page 2, Lines 57–58:
Delete lines 57 through 58.

Representative Daniels’ motion to amend failed on the following roll call:

Yeas, 18; Nays, 50; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|------------|----------|
| Anderson | Becker | Biskupski | Buffmire |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Jones | King |
| Litvack | McCartney | McGee | Morgan |
| Moss | Shurtliff | | |

Voting in the negative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Donnelson | Dougall |
| Dunnigan | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morley | Murray | Newbold | Noel |

| | | | |
|---------|-------------|---------|----------|
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|---------|
| S. Allen | Bourdeaux | Bryson | Dillree |
| Ferrin | Styler | Webb | |

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 5, 2004, at 10:00 a.m.

EIGHTEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Mike Morley.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 4, 2004

The Senate passed, **H.B. 10**, STATE HIGHWAY SYSTEM CHANGES, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 16**, LIFE INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 21**, LICENSING – INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 10**, **H.B. 16**, and **H.B. 21**, were signed by the Speaker in open session in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. Speaker: February 4, 2004

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 116**, Facilities with Regional Impact (Rep. R. Becker) be replaced with **Substitute H.B. 116**, Facilities with Regional Impact (Rep. R. Becker) and further recommends it be assigned to the Political Subdivisions Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 160 Mortgage Act Amendments (Rep. W. Harper)

EDUCATION

H.B. 110 Educator Licensing Amendments (Rep. D. Cox)

H.B. 113 Nonresident Tuition Waiver for Job Corps Students
(Rep. L. Shurtliff)

HEALTH AND HUMAN SERVICES

S.B. 86 Mental Health Professional Practice Act Amendments
(Sen. D. C. Buttars)

S.B. 112 Uniform Anatomical Gift Act Amendments
(Sen. K. Hale)

JUDICIARY

H.B. 124 Small Claims Court Jurisdiction Amendments
(Rep. S. Urquhart)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

2nd Sub. S.B. 19 Sales and Use Taxes – Exemption for Energy Related
Equipment and Machinery (Sen. L. Blackham)

S.B. 46 Sunset Date Extension of Division of Oil, Gas and Mining
(Sen. M. Dmitrich)

POLITICAL SUBDIVISIONS

H.B. 254 Solid Waste Landfill Amendments (Rep. D. G. Buxton)

REVENUE AND TAXATION

H.B. 125 County Option Funding for Botanical, Cultural,
Recreational, and Zoological Organizations or Facilities
Amendments (Rep. T. Kiser)

H.B. 252 Calculation of Property Tax Levies (Rep. M. Newbold)

2nd Sub. S.B. 82 Deposits into Uintah Basin Revitalization Fund
(Sen. R. Allen)

S.B. 109 Individual Income Tax Contributions for Education
(Sen. D. Thomas)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.B. 256 Expansion of Economic Development Webpage
(Rep. S. Allen)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 3, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, by Representative D. Bourdeaux, with the following amendments:

1. Page 3, Lines 79 through 80:

79 (1) A tax is imposed on a sexually explicit business equal to 10% of amounts paid to or

80 charged by the sexually explicit business for the following transactions:

2. Page 4, Lines 97 through 98:

97 (b) is ~~[[not]]~~ subject to ~~[[any]]~~ an agreement sales ~~[[or]]~~ and use tax ~~[[collected or paid]]~~ under Chapter 12, Sales and

98 Use Tax Act.

3. Page 5, Lines 132 through 134:

132 (b) (i) The monies in the fund shall be invested by the state treasurer pursuant to Title 51.

133 Chapter 7, State Money Management Act~~[[, except that]]~~ (ii) ~~[[all]]~~ All interest or other earnings derived

134 from the fund monies shall be deposited in the fund.; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 42**, UTAH EXEMPTION CODE AMENDMENTS, by Senator D. Gladwell; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 240**, REVENUE AND TAXATION – OFFENSES AND PENALTIES, by Representative R. Bigelow.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 239, as amended, **S.B. 42**, and **H.B. 240**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 3, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.J.R. 13**, CLOG AMERICA RESOLUTION, by Representative B. Goodfellow.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

H.J.R. 13, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 4, 2004

The Health and Human Services Committee reports a favorable recommendation on **S.B. 30**, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, by Senator S. Killpack; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 86**, PRIMARY CARE NETWORK AMENDMENTS, by Representative K. Holdaway; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 227**, MIDWIFE CERTIFICATION ACT, by Representative J. Biskupski, et al, with the following amendments:

1. Page 1, Line 23:
After "can be" delete "prescribed" and insert "obtained"
2. Page 8, Lines 226 through 227:

226 (o) executing the orders of a licensed health care professional, only within the

227 education, knowledge, and skill of the midwife.

The practice of midwifery is not considered the practice of medicine.

3. Page 11, Lines 316 through 320:

316 (1) In addition to the definition in Subsection 58-1-501(1),
“unlawful conduct” includes:

317 [[~~(4)~~]] (a) representing or holding oneself out as a certified
Direct-entry midwife when not

318 certified under this chapter; and

319 [[~~(2)~~]] (b) using prescription medications, except oxygen, while
engaged in the practice of

320 midwifery when not certified under this chapter.

(2) Except as provided in Subsections (1)(a) and (b), it is lawful to
practice midwifery in this state without being certified under this
chapter.

4. Page 12, Line 349:

After “obtain” delete “an” and insert “a written”

5. Page 12, Line 354:

After “one;” delete “and” and insert

“(iii) the fact, if true, that the certified Direct-entry midwife is not
a certified nurse midwife or a physician;”

6. Page 12, Line 355:

Delete “(iii)” and insert “(iv)”

7. Page 12, Line 356:

Delete the period “.” and insert “;”

(v) whether the certified Direct-entry midwife is covered by a
professional liability insurance policy; and

(vi) the fact that the client’s decision not to use a physician or a
certified nurse midwife may be taken into account in a malpractice
action.”

8. Page 13, Line 376:

After line 376 insert

“(6) This chapter does not mandate health insurance coverage for
midwife services.”

9. Page 13, Line 386:

After “briefing” delete “data”

10. Page 13, Lines 389 through 390:

After “(b)” delete the rest of line 389 and line 390 and insert:

“A provider–patient relationship may not arise from a physician or certified nurse midwife providing medical advice or issuing a medical order to the midwife for the midwife’s client.

(c) Regardless of the advice or order given, the responsibility and liability for caring for the client rests with the midwife.”

11. Page 13, Line 391:
Delete “(c)” and insert “(d)”
12. Page 13, Line 393:
Delete “(d)” and insert “(e)”

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

S.B. 30, H.B. 86, and H.B. 227, as amended,, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 4, 2004

The Public Utilities and Technology Committee recommends **H.B. 36, MANAGEMENT, ENHANCEMENT, AND FUNDING OF 911 SYSTEM**, by Representative B. Dee, be replaced and reports a favorable recommendation on **1st Sub. H.B. 36, MANAGEMENT, ENHANCEMENT, AND FUNDING OF 911 SYSTEM** with the following amendments:

1. Page 4, Line 92:
After “county” delete “,with the consent of the Senate”
2. Page 4, Lines 98 – 99:
After “commission” delete “, with the consent of the senate”
3. Page 7, Line 194:
After “which is” insert “at least”

Stephen J. Urquhart, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Public Utilities and Technology committee were adopted.

Sub. H.B. 36, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 4, 2004

The Education Committee reports a favorable recommendation on **S.B. 32**, USE OF ASTHMA MEDICATION BY PUPILS IN SCHOOL, by Senator P. Arent, et al; and

The Education Committee reports a favorable recommendation on **H.B. 84**, STATE SCHOOL BOARD CANDIDATES, by Representative D. Cox, with the following amendments:

1. Page 3, Lines 66 through 69:

66 (3) (a) The chair, or another member of the committee designated
by the chair, ~~[[shall]]~~ may

67 schedule and convene all committee meetings.

68 (b) (i) Any formal action by the committee requires the approval of
a majority of

69 committee members.

(ii) To meet the requirements under this section, the chair may establish an election process to select candidates, including sending candidate information and ballots to committee members, in lieu of convening a meeting of committee members.; and

The Education Committee reports a favorable recommendation on **H.B. 84**, STATE SCHOOL BOARD CANDIDATES, by Representative D. Cox, with the following amendments:

1. Page 3, Lines 66 through 69:

66 (3) (a) The chair, or another member of the committee designated
by the chair, ~~[[shall]]~~ may

67 schedule and convene all committee meetings.

68 (b) (i) Any formal action by the committee requires the approval of
a majority of

69 committee members.

(ii) To meet the requirements under this section, the chair may establish an election process to select candidates, including sending candidate information and ballots to committee members, in lieu of convening a meeting of committee members.; and

The Education Committee reports a favorable recommendation on **H.B. 223**, STATE SCHOOL BOARD CANDIDATE SELECTION COMMITTEES, by Representative K. Morgan.

Margaret Dayton, Chair

Reports filed. On motion of Representative Curtis, the reports of the Education committee were adopted.

S.B. 32, H.B. 84, as amended, and **H.B. 223**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 4, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 172**, INSURANCE LIQUIDATION LAW AMENDMENTS, by Representative J. Ferrin, with the following amendments:

1. Page 3, Lines 77 through 80:

77 (ii)[~~for any bad or doubtful debts.~~] perform any other acts
necessary or expedient to

78 collect, conserve, or protect its assets or property, including selling,
compounding,

79 compromising, or assigning any bad or doubtful debts for
collection, upon the terms and conditions as [he] the liquidator

80 considers best[~~,-any bad or doubtful debts~~]; and

2. Page 6, Lines 177 through 179:

177 (c) If a reinsurer does not pay the amount billed under Subsection
(2)(b) within[[60]] 180 days

178 after[[receipt of]] the reinsurer has received the billing, interest on
the unpaid billed amount will begin to accrue at the statutory legal

179 rate provided in Subsection 15-1-1(2), except that all or a portion
of the interest may be waived as part of an arbitration proceeding .; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 83**, UNINSURED EMPLOYERS' FUND AMENDMENTS, by Senator E. Mayne; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 96**, UTAH OCCUPATIONAL SAFETY AND HEALTH ACT AMENDMENTS, by Senator E. Mayne; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 171**, INSURANCE FRAUD AMENDMENTS, by Representative J. Ferrin, with the following amendments:

1. Page 8, Lines 233 through 243:

233 31A-31-110. Mandatory reporting of fraudulent title insurance
 acts -- Failure to

234 report -- Criminal penalties.

235 (1) A [[person]] title insurer having knowledge [[or a reasonable
belief]] that a fraudulent insurance act is

236 being, will be, or has been committed related to title insurance shall
report the fraudulent act to

237 the commissioner in a writing that provides information in detail
relating to:

238 (a) the fraudulent insurance act; and

239 (b) the perpetrator of the fraudulent insurance act.

240 (2) (a) Any [[person]] title insurer required to report a fraudulent
insurance act under Subsection (1)

241 who willfully fails to comply with Subsection (1) is guilty of a class
B misdemeanor.

242 (b) An action for failure to comply with Subsection (1) shall be
commenced within

243 four years from the date on which the [[person]] title insurer ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 245**, INSURANCE LAW REVISIONS, by Representative J. Ferrin, with the following amendments:

1. Page 62, Lines 1902 through 1907:

1902 (vii) ~~[[{]]the individual is[[{]] [an eligible employee, a dependent~~
~~of an eligible employee, or a~~

1903 ~~member of] [[as for~~ an employer group that offers health insurance
 or a self-insurance

1904 ~~arrangement to [all~~ its eligible employees, dependents, or
 members~~];~~ the individual is];

1905 (A) an eligible employee;

1906 (B) a dependent of an eligible employee; or

1907 (C) a member of an employer group that offers health insurance or a self-insurance arrangement to its eligible employees, dependents, or members;

2. Page 63, Lines 1926 through 1930:

1926 (iv) ~~[[as for an]] is [[employer group that offers health insurance or a self-insurance~~

1927 ~~arrangement to its eligible employees, dependents, or members, the individual is]]:~~

1928 (A) an eligible employee;

1929 (B) a dependent of an eligible employee; or

1930 (C) a member of an employer group that offers health insurance or a self-insurance arrangement to its eligible employees, dependents, or members ;

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

H.B. 172, as amended, **S.B. 83**, **S.B. 96**, **H.B. 171**, as amended, and **H.B. 245**, as amended, read the second time by short title and placed on the calendar for third reading.

CONSENT CALENDAR

S.B. 12, TRANSPORTATION OF CHILDREN FOR PARENT-TIME, read the third time by short title and placed on its final passage.

On motion of Representative Thompson, the House voted to lift **S.B. 12** from the Consent Calendar and place it on the Senate Third Reading Calendar.

THIRD READING CALENDAR

Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, was before the House.

On motion of Representative Alexander, the House voted to circle **Sub. S.B. 68**.

UNFINISHED BUSINESS

On motion of Representative Buxton, the House voted to uncircle **S.B. 9**.

S.B. 9, PROPERTY RIGHTS AMENDMENTS, was before the House on its final passage.

S.B. 9 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|-------|------------|-------|
| Curtis | Hogue | B. Johnson | Kiser |
| Philpot | | | |

S.B. 9 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Lockhart, the House voted to uncircle **S.B. 97**.

S.B. 97, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, was before the House on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 97**.

* * *

On motion of Representative Ure, the House voted to uncircle **S.B. 13**.

S.B. 13, RESORT COMMUNITIES TAX AMENDMENTS, was before the House on its final passage.

S.B. 13 then passed on the following roll call:

Yeas, 67; Nays, 4; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|------|---------|
| D. Clark | Hendrickson | King | Wallace |
|----------|-------------|------|---------|

Absent or not voting were: Representatives

| | | | |
|---------|-----------|-------|---------|
| Bennion | Bourdeaux | Hogue | Philpot |
|---------|-----------|-------|---------|

S.B. 13 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Bowman, the House voted to uncircle **H.B. 51**.

H.B. 51, NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS, was before the House on its final passage.

On motion of Representative Bowman, the House voted to delete **H.B. 51** in title and body and insert **2nd Sub. H.B. 51** in lieu thereof.

Representative Bowman proposed the following amendment:

- 1. Page 1, Lines 21 through 22

21 ► exempts nonresident owned off-highway vehicles used exclusively for the purposes

22 of a scheduled competitive event or certain other events ;

- 2. Page 3, Lines 72 through 73:

72 (ii) used exclusively for the purposes of a scheduled competitive event sponsored by a public or private entity or an another event sponsored by a governmental entity under rules

73 made by the board.

- 3. Page 4, Line 93:

93 (d) eligibility for scheduled competitive events or other events under Subsection (1)(b)(ii).

Representative Bowman’s motion to amend passed on a voice vote.

2nd Sub. H.B. 51, as amended, then passed on the following roll call:

Yeas, 70; Nays, 2; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |

| | | | |
|------------|-------------|-----------|----------|
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

Harper E. Hutchings

Absent or not voting were: Representatives

Bennion Hogue Morley

2nd Sub. H.B. 51, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hutchings, the House voted to uncircle **Sub. H.B. 202**.

Sub. H.B. 202, MAIL ORDER TOBACCO SALES AMENDMENTS, was before the House on its final passage.

Representative Dougall proposed the following amendment:

1. Page 3, Lines 61 through 62:

61 delivery is 19 years of age or older; [[and]]

62 (ii) obtain the signature of the person taking the delivery; and (iii) include as part of the shipping documents a clear and conspicuous statement providing as follows: "This package contains tobacco products: Utah Law prohibits possession of tobacco products by individuals under the age of 19;" and

Representative Dougall's motion to amend passed on a voice vote.

Sub. H.B. 202, as amended, then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative

Ure

Sub. H.B. 202, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.B. 182, CONSTRUCTION LIEN AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 182 then passed on the following roll call:

Yeas, 63; Nays, 8; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |

| | | | |
|-----------|----------|------------|-------------|
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Mascaro | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|----------|--------|-----------|---------|
| S. Allen | Becker | Buffmire | Daniels |
| Litvack | Love | McCartney | McGee |

Absent or not voting were: Representatives

| | | | |
|--------------|--------|-----|-------------|
| E. Hutchings | Morley | Ure | M. Stephens |
|--------------|--------|-----|-------------|

Sub. H.B. 182 transmitted to the Senate for its consideration.

* * *

H.B. 212, TRAFFIC ACCIDENT RESPONSE, read the third time by short title and placed on its final passage.

H.B. 212 then passed on the following roll call:

Yeas, 65; Nays, 4; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Bush | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |

| | | | |
|----------|---------|-----------|---------|
| Peterson | Philpot | Shurtliff | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Voting in the negative were: Representatives
 Anderson Biskupski Buffmire Hendrickson

Absent or not voting were: Representatives
 Buttars McCartney Noel Seitz
 G. Snow M. Stephens

H.B. 212 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative Hogue, the House voted to reconsider its action on **S.B. 8**.

RECONSIDERATION OF S.B 8

S.B. 8, LOCAL REFERENDUM AMENDMENTS, was before the House upon its final passage.

On motion of Representative Hogue, the House voted to circle **S.B. 8**.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **S.B. 97**.

S.B. 97, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, was before the House on its final passage.

On motion of Representative Lockhart, the House voted to delete **S.B. 97** in title and body and insert **Sub. S.B. 97** in lieu thereof.

Sub. S.B. 97 then passed on the following roll call:

Yeas, 63; Nays, 10; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|-------------|--------------|-------------|-----------|
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|---------|-----------|
| Anderson | Goodfellow | Gowans | Hansen |
| Hendrickson | King | Litvack | McCartney |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | |
|------|-----|
| Bird | Ure |
|------|-----|

Sub. S.B. 97 returned to the Senate for further consideration.

* * *

On motion of Representative Dillree, the House voted to uncircle **S.J.R. 4**.

S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS, was before the House on its final passage.

Representative Harper proposed the following amendment:

1. Page 4, Lines 93 through 96

93 (iii) The sponsor may:

94 (A) approve the fiscal note;

95 (B) direct an earlier release of the fiscal note for printing[-];[[or]]

96 (C) direct that the fiscal note be held ; or

(D) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst to discuss that disagreement and provide evidence, data,

or other information to support a revised fiscal note or an alternate fiscal note.

(iv) The fiscal analyst shall make the final determination on the fiscal note.

2. Page 4, Line 97:

97 ~~[(iv)]~~ (v) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be

Representative Harper’s motion to amend passed on a voice vote.

S.J.R. 4, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

- | | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

- | | | | |
|--------|--------|--------|-----------|
| Buxton | Curtis | Dayton | McCartney |
| Moss | Ure | | |

S.J.R. 4, as amended, returned to the Senate for further consideration.

* * *

On motion of Representative Philpot, the House voted to uncircle **Sub. S.B. 68.**

Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, was before the House on its final passage.

On motion of Representative Alexander, the House voted to circle **Sub. S.B. 68**.

* * *

On motion of Representative Urquhart, the House voted to uncircle **S.B. 73**.

S.B. 73, ESCAPE AMENDMENTS, was before the House on its final passage.

S.B. 73 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|-----------|-----|
| S. Clark | Dayton | McCartney | Ure |
|----------|--------|-----------|-----|

S.B. 73 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Philpot, the House voted to uncircle **Sub. S.B. 68.**

Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, was before the House on its final passage.

On motion of Representative Philpot, the House voted to delete **Sub. S.B. 68** in title and body and insert **3rd Sub. S.B. 68** in lieu thereof.

Representative Allen proposed the following amendment:

- 1. Page 2, Line 52

52 unless the woman was unable to report the crime for physical reasons or fear of retaliation: ~~[[or]]~~

- 2. Page 2, Line 56:

56 procedure that could also save the life of the child is not a viable option~~[[;]]~~: or

(d) in the professional judgment of the woman’s attending physician, and after consultation with a physician skilled in the prenatal diagnosis of birth defects, the fetus is determined to have one or more developmental defects generally considered by the medical community to be uniformly lethal within 72 hours of birth.

Representative Allen’s motion to amend failed on the following roll call:

Yeas, 35; Nays, 39; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|-------------|
| S. Allen | Anderson | Becker | Bigelow |
| Biskupski | Bourdeaux | Buffmire | Buxton |
| S. Clark | D. Cox | Daniels | Dillree |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | Jones | King |
| Last | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Shurtliff | Styler | Wallace | |

Voting in the negative were: Representatives

| | | | |
|---------|-------|-----------|--------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bird | Bowman | Bryson |

| | | | |
|----------|--------------|-------------|-----------|
| Bush | Buttars | Christensen | D. Clark |
| Curtis | Dayton | Dee | Donnelson |
| Dougall | Ferrin | Frank | Hardy |
| Hughes | E. Hutchings | Kiser | Lawrence |
| Lockhart | Love | Morley | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Thompson | Ure |
| Urquhart | Webb | M. Stephens | |

Absent or not voting was: Representative

B. Johnson

###

Representative Moss proposed the following amendment:

1. Page 2, Lines 48 through 56:

48 for the performance of any induced abortion services unless:

[[49 (a) in the professional judgment of the pregnant woman's attending physician, the

50—abortion is necessary to save the pregnant woman's life;

51—(b) the pregnancy is the result of rape or incest reported to law enforcement agencies,

52—unless the woman was unable to report the crime for physical reasons or fear of retaliation; or

53—(c) in the professional judgment of the pregnant woman's attending physician, the

54—abortion is necessary to prevent permanent, irreparable, and grave damage to a major bodily

55—function of the pregnant woman provided that a caesarian procedure or other medical

56—procedure that could also save the life of the child is not a viable option.]] (a) the pregnancy is a result of incest or rape;

(b) the life and health of the woman is adjudged by competent medical authority to be in serious jeopardy; or

(c) the fetus is known by competent medical authority to have severe defects that will not allow the fetus to survive beyond birth.

Representative Thompson proposed the following substitute motion to amend:

1. Page 2, Lines 48 through 56

48 (a) for the performance of any induced abortion services unless:
49 [[~~(a)~~] (i) in the professional judgment of the pregnant woman's
attending physician, the
50 abortion is necessary to save the pregnant woman's life;
51 [[~~(b)~~] (ii) the pregnancy is the result of rape or incest reported to
law enforcement agencies,
52 unless the woman was unable to report the crime for physical
reasons or fear of retaliation; or
53 [[~~(c)~~] (iii) in the professional judgment of the pregnant woman's
attending physician, the
54 abortion is necessary to prevent permanent, irreparable, and grave
damage to a major bodily
55 function of the pregnant woman provided that a caesarian
procedure or other medical
56 procedure that could also save the life of the child is not a viable
option;
(b) that promotes abortion except as provided in Subsection (2)(a). This
in no way restricts individuals from expressing their opinions on abortion
or for financially promoting activities or beliefs through solely private
means.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 6, 2004, at 10:00 a.m.

NINETEENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Brad Dee, excused and Representatives Alexander, Holdaway, King, Dayton, Gowans, and Snow, absent.

Pledge of Allegiance and prayer by former Representative Robert Killpack, guest of Representative Last.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 5, 2004

The Senate passed, as amended, **S.B. 38**, ARSON OFFENSE AMENDMENTS, by Senator P. Arent, and it is transmitted for consideration; and

The Senate passed **S.B. 119**, PROSECUTION JURISDICTION AMENDMENT, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.J.R. 5**, RESOLUTION URGING CONGRESS TO ADDRESS CITIZEN CHILDREN OF UNDOCUMENTED PARENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 76**, REVISIONS TO ROYALTY ON BRINE SHRIMP, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 80**, CAPITAL PUNISHMENT AMENDMENTS – EXCLUDED DAYS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 116**, COUNTY RECORDER AMENDMENTS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 120**, RESIDENTIAL PROPERTY TAX EXEMPTION, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 20**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 123**, COURT REPORTER AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 132**, UTAH CONSTRUCTION TRADES LICENSING ACT – ELECTRICAL LICENSING AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.B. 135**, CENTER FOR MULTICULTURAL HEALTH, by Senator J. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 38**, **S.B. 119**, **Sub. S.J.R. 5**, **Sub. S.B. 76**, **S.B. 80**, **S.B. 116**, **S.B. 120**, **Sub. S.B. 20**, **S.B. 123**, **S.B. 132**, and **S.B. 135**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker:

February 5, 2004

The Senate passed, **H.B. 4**, TECHNICAL AMENDMENT – POLLING PLACE SUPPLIES, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 5**, PUBLICATION OF RESOLUTION OR NOTICE, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 6**, REPEAL OF UTAH INTERSTATE COMMISSION FOR COOPERATION IN HIGHER EDUCATION, by Representative D. Bush, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 17**, CAPTIVE INSURANCE COMPANIES ACT AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 18**, UTAH STATE SCENIC BYWAY COMMITTEE, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 20**, CONSTRUCTION BONDING STATUTES, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 30**, AMENDMENTS TO ADMINISTRATIVE SERVICES RATE COMMITTEE, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 31**, INFORMATION TECHNOLOGY PROCUREMENT AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 2**, RESOLUTION OF LEGISLATIVE SUPPORT FOR MUSIC AND OTHER FINE ARTS PROGRAMS IN PUBLIC SCHOOLS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 19**, EMPLOYMENT SUPPORT ACT AMENDMENTS, by Representative D. Cox, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 191**, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, by Representative G. Snow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 52**, INDIVIDUAL DEFERRED ANNUITIES – NONFORFEITURE AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 62**, LIEN RECOVERY FUND AMENDMENTS, by Representative R. C. Webb, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 178**, MOTOR VEHICLE PURCHASE AMENDMENTS, by Representative D. Bush, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 201**, TRAFFIC SIGNAL PREEMPTION DEVICE, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 4, H.B. 5, H.B. 6, H.B. 17, H.B. 18, H.B. 20, H.B. 30, H.B. 31, H.J.R. 2, H.B. 19, H.B. 191, H.B. 52, H.B. 62, H.B. 178, and H.B. 201** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 5, 2004

The Senate passed, as amended, **H.B. 37**, SUNSET REAUTHORIZATIONS, by Representative G. Curtis, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 49**, NATURAL GAS TECHNICIAN CERTIFICATION, by Representative G. Snow, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 24**, MOTOR VEHICLES CODE REVISIONS, by Representative J. Murray, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 37**, **H.B. 49**, and **H.B. 24**, placed on the calendar for concurrence.

RULES COMMITTEE REPORT

Mr. Speaker: February 5, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills be assigned to standing committees:

BUSINESS AND LABOR

H.B. 122 Private Investigator Amendments (Rep. M. Dayton)

EDUCATION

H.B. 126 Teacher Classifications (Rep. R. Bigelow)

GOVERNMENT OPERATIONS

H.B. 114 Money Management Act Amendments (Rep. D. Clark)

H.B. 265 Designation of Commemorative Days (Rep. D. Bush)

HEALTH AND HUMAN SERVICES

H.B. 264 Improving Mental Health Services to the Deaf and Hard-of-hearing Task Force (Rep. D. Hogue)

JUDICIARY

H.B. 128 Amendments to Operating Under the Influence (Rep. D. Love)

H.B. 170 Office of the Attorney General Responsibilities (Rep. K. Bryson)

H.B. 262 Penalties for Providing False or Misleading Information in Court (Rep. J. Alexander)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 165 Child Protection Registry (Rep. M. Styler)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 263 State Retirement System Amendments (Rep. B. King)

REVENUE AND TAXATION

H.B. 117 Individual Income Tax – Treatment of Certain Military Income (Rep. D. Peterson)

H.B. 168 Individual Income Tax and Corporate Franchise and Income Tax Task Force (Rep. W. Harper)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 5, 2004

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 24, MARRIAGE RECOGNITION POLICY**, by Senator D. C. Butters; and

The Judiciary Committee reports a favorable recommendation on **H.B. 93, DNA REIMBURSEMENT COSTS**, by Representative J. S. Adams, with the following amendments:

1. Page 1, Line 13:

13 by collecting the funds from the inmate's county trust fund account;
and

2. Page 2, Line 38:

38 the inmate's county trust fund account and may allow a negative balance in the account until the \$75 is

3. Page 5, Line 143:

143 the inmate's county trust fund account and may allow a negative balance in the account until the \$75 is

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

Sub. S.B. 24 and **H.B. 93**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 5, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.C.R. 1**, CONCURRENT RESOLUTION APPROVING SOLID WASTE PERMIT, by Senator T. Hatch; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 247**, TASK FORCE STUDYING WATER ISSUES, by Representative M. Styler, et al, with the following amendments:

1. Page 2, Line 50:
After "water" insert "conservation and"; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 211**, RENEWAL OF FISHING LICENSE, by Representative J. M. Philpot, be replaced and favorably recommends **1st Sub. H.B. 211**, RENEWAL OF FISHING LICENSE.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

S.C.R. 1, **H.B. 247**, as amended, and **Sub. H.B. 211**, read the second time by short title and placed on the calendar for third reading.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker:

February 5, 2004

The Natural Resources, Agriculture, and Environment Committee has returned **H.B. 243**, WATER RIGHTS TASK FORCE, by Representative M. Styler, to the Rules Committee.

Craig W. Buttars, Chair

Report filed. **H.B. 243**, returned to the Rules Committee.

* * *

Mr. Speaker: February 5, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 222**, ROBBERY AMENDMENTS, by Representative C. Frank, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 237**, DEPARTMENT OF CORRECTIONS – THERAPY PROVIDER QUALIFICATIONS, by Representative D. Bourdeaux, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 246**, PROHIBITION OF CROSS BURNING ON PROPERTY, by Representative N. Hansen.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 222 and **H.B. 237**, read the second time by short title and placed on the Consent Calendar.

H.B. 246, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 5, 2004

The Transportation Committee recommends **H.R. 7**, DRIVING UNDER THE INFLUENCE RESOLUTION, by Representative D. Love, be replaced and reports a favorable recommendation on **1st Sub. H.R. 7**, DRIVING UNDER THE INFLUENCE RESOLUTION with the following amendments:

1. Page 2, Lines 28 through 36:

28 WHEREAS, according to the 2003 DUI Best Sentencing Practices Guidebook,

29 published by the Utah Sentencing Commission, judges should be aware of the Blood Alcohol

30 Content (BAC) before imposing sentence; and

31 WHEREAS, The First Annual DUI Report to the Utah Legislature indicates that in

32 Utah in 2003, 1,850 individuals suspected of driving under the influence refused to submit to a

33 blood alcohol content level test~~[[; and]]~~ ;

34 ~~[[WHEREAS, Court precedent in California and the United States Supreme Court~~

35 ~~affirms the rights of law enforcement officers to require an individual suspected of driving~~

36 ~~under the influence to submit to a blood alcohol content level test:]]~~; and

The Transportation Committee reports a favorable recommendation on **S.B. 72, DISPOSITION OF FINES FOR REGISTRATION VIOLATIONS**, by Senator J. Hickman.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

Sub. H.R. 7, as amended, read the second time by short title and placed on the calendar for third reading.

S.B. 72, read the second time by short title and referred to the Rules Committee due to fiscal impact.

CONSENT CALENDAR

S.B. 92, REPEAL OF UNSOLICITED COMMERCIAL AND SEXUALLY EXPLICIT EMAIL ACT, read the third time by short title and placed on its final passage.

S.B. 92 then passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|--------|-------------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | Curtis |

| | | | |
|-------------|-----------|-------------|--------------|
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Hughes | E. Hutchings |
| B. Johnson | Jones | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----------|----------|
| Alexander | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Gowans | Holdaway |
| King | Lockhart | McCartney | G. Snow |

S.B. 92 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 179, VULNERABLE ADULT ABUSE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 179, as amended, then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McGee | Morgan | Morley |

| | | | |
|-----------|----------|----------|-------------|
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|----------|--------|
| Alexander | S. Clark | Daniels | Dayton |
| Dee | Gowans | Holdaway | King |
| Lockhart | McCartney | G. Snow | |

H.B. 179, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 95, CLARIFICATION OF DEPENDENT HEALTH CARE COVERAGE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 95 then passed on the following roll call:

Yeas, 60; Nays, 0; Absent or not voting, 15.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Curtis | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Hendrickson | Hogue |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|----------|
| Alexander | Bennion | Bowman | S. Clark |
| Daniels | Dayton | Dee | Gowans |
| Harper | Holdaway | King | Lockhart |
| McCartney | G. Snow | Ure | |

H.B. 95 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Hansen, the House voted to set **H.B. 246** for Time Certain on February 12, 2004 at 10:30 a.m.

THIRD READING CALENDAR

H.B. 199, DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING, read the third time by short title and placed on its final passage.

Representative Donnelson proposed the following amendment:

1. Page 1, Line 16:
After “class B delete “penalty” and insert “misdemeanor” and after “class A delete “penalty” and insert “misdemeanor”

Representative Donnelson’s motion to amend passed on a voice vote.

On motion of Representative Christensen, the House voted to circle **H.B. 199**.

MISCELLANEOUS BUSINESS

On motion of Representative Adams, the House voted to reconsider its action on **Sub. H.B. 182**.

RECONSIDERATION OF SUB. H.B. 182

Sub. H.B. 182, CONSTRUCTION LIEN AMENDMENTS, was before the House upon its final passage.

Representative Adam proposed the following amendment:

1. Page 3, Lines 70 through 75:
70 38–1–30, Lien notification.
71 (1) Before filing a mechanics lien pursuant to Section 38–1–11, the person or entity
72 claiming a lien shall give 15 business days written notice by signature confirmation mail to the

73 person or entity to whom the lien claimant supplied labor, materials, equipment, or services for

74 the improvement of real property, stating the amount of any claim and from whom it is due.

(2) Failure to give notice as provided in this section does not impair the right of the lien claimant to file a lien.

75 ~~[(2)]~~ (3) This section applies to liens filed on or after July 1, 2004.

Representative Adams' motion to amend passed on a voice vote.

Sub. H.B. 182, as amended, then passed on the following roll call:

Yeas, 61; Nays, 1; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-----------|-------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Curtis | Daniels |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | B. Johnson | Jones | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative

S. Allen

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|----------|----------|
| Alexander | Bourdeaux | S. Clark | Dayton |
| Dee | Dillree | Gowans | Holdaway |
| Hughes | E. Hutchings | King | Litvack |
| G. Snow | | | |

Sub. H.B. 182, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 91, UTAH ADMINISTRATIVE RULEMAKING ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 91 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| B. Johnson | Jones | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|----------|-----------|--------------|
| Alexander | Dayton | Dee | Dillree |
| Gowans | Holdaway | Hughes | E. Hutchings |
| King | Litvack | McCartney | G. Snow |
| M. Stephens | | | |

H.B. 91 transmitted to the Senate for its consideration.

In motion of Representative Harper, the House voted to print upon the pages of the House Journal Intent Language for **H.B. 91**.

INTENT LANGUAGE FOR H.B. 91

An agency's lack of compliance with the notification requirements of subsections 63-4a-4 (3) and (8) do not constitute grounds for contesting any rule.

THIRD READING CALENDAR

H.B. 232, WATER WELL AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Peterson, the House voted to delete **H.B. 232** in title and body and insert **Sub. H.B. 232** in lieu thereof.

On motion of Representative Peterson, the House voted to circle **Sub. H.B. 232**.

* * *

H.B. 88, STATE LAND USE MANAGEMENT PLANS, read the third time by short title and placed on its final passage.

Representative Johnson proposed the following amendment:

1. Page 8, Line 217:
After line 217 insert:
“(iii) that the continued viability of livestock operations and the livestock industry should be supported on the federal lands within Utah by management of the lands and forage resources, by the optimization of animal unit months for livestock, in accordance with the multiple-use provisions of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et. seq., the provisions of the Taylor Grazing Act of 1934, 43 U.S.C. 315 et. seq. and the provisions of the Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901 et. seq.”

Re-number remaining subsections accordingly.

Representative Johnson’s motion to amend passed on a voice vote.

###

Representative Becker proposed the following amendment:

1. Page 4, Lines 104–105:
After “citizens of the state” delete “, subject to appropriation for beneficial use.”
2. Page 6, Line 172:
After “federal lands” delete “without regard for a” and insert “on a value-for-value basis regardless of varying resources:”
3. Page 6, Lines 173–174:
Delete lines 173–174
4. Page 7, Line 202:
After “and the” insert “standards for”

Representative Peterson proposed the following substitute motion to amend:

1. Page 3, Line 87:
Delete "consultation" and insert "conjunction"

Representative Peterson's motion to amend passed on a voice vote.

###

Representative Becker proposed the following amendment:

1. Page 4, Lines 104–105:
After "citizens of the state" delete ", subject to appropriation for beneficial use."
2. Page 6, Line 172:
After "federal lands" delete "without regard for a" and insert "on a value-for-value basis regardless of varying resources;"
3. Page 6, Lines 173–174:
Delete lines 173–174
4. Page 7, Line 202:
After "and the" insert "standards for"

Representative Becker's motion to amend failed on a voice vote.

###

H.B. 88, as amended, then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hughes | B. Johnson | Jones | Kiser |

| | | | |
|---------|-----------|----------|----------|
| Last | Lawrence | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------------|--------|
| Alexander | Dayton | Dee | Gowans |
| Hogue | Holdaway | E. Hutchings | King |
| Litvack | G. Snow | M. Stephens | |

H.B. 88, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 6, 2004

The Rules Committee recommends that the following resolution be considered read for the second time and placed at the top of the Third Reading Calendar.

H.R. 9 House Rules Resolution Reporting Requirements
(Rep. C. Bennion); and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 251 Radio Frequency Identification – Right to Know Act
(Rep. D. Hogue)

S.B. 123 Court Reporter Amendments (Sen. L. Hillyard)

S.B. 132 Utah Construction Trades Licensing Act – Electrical
Licensing Amendments (Sen. S. Jenkins)

EDUCATION

H.B. 108 Insurance and Retirement for Charter School Employees
(Rep. M. Newbold)

H.B. 112 Enrollment Growth Program Amendments (Rep. B. Last)

HEALTH AND HUMAN SERVICES

S.B. 135 Center for Multicultural Health (Sen. J. Evans)

JUDICIARY

- H.B. 129** Child Protection Team Meetings (Rep. C. Bennion)
H.J.R. 16 Resolution Amending Rules of Civil Procedure –
Judgment (Rep. G. Curtis)
- S.B. 38** Arson Offense Amendments (Sen. P. Arent)
S.B. 80 Capital Punishment Amendments – Excluded Days
(Sen. J. Valentine)
- S.B. 119** Prosecution Jurisdiction Amendment (Sen. B. Evans)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 123** Drug Lab Cleanup and Disclosure (Rep. D. Litvack)
H.B. 161 Law Enforcement Amendments (Rep. C. Moss)
H.B. 164 Nonresident Tuition Waiver for National Guard Members
(Rep. B. King)
- H.B. 166** Concealed Firearm Permit Amendments (Rep. D. Hogue)
H.B. 169 Mail Theft Amendments (Rep. M. Thompson)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- 1st Sub. S.B. 76** Revisions to Royalty on Brine Shrimp (Sen. T. Hatch)

POLITICAL SUBDIVISIONS

- S.B. 116** County Recorder Amendments (Sen. T. Hatch)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 145** Approval Required for Disposal of Radioactive Waste
(Rep. S. Urquhart)

REVENUE AND TAXATION

- S.B. 120** Residential Property Tax Exemption (Sen. D. Thomas)

TRANSPORTATION

- H.B. 258** Prohibiting Cell Phone Use for New Drivers
(Rep. C. Moss)
- H.B. 280** Respect Choice – Special Group License Plates
(Rep. R. McGee)
- 1st Sub. S.B. 20** Driving Under the Influence Amendments
(Sen. C. Walker)

**WORKFORCE SERVICES AND COMMUNITY & ECONOMIC
DEVELOPMENT**

1st Sub. S.J.R. 5 Resolution Urging Congress to Address Citizen Children
of Undocumented Parents (Sen. G. Davis)

Marda Dillree, Chair

Report filed. On motion of Representative Philpot, the report of the Rules
Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to adjourn until
February 9, 2004, at 10:00 a.m.

TWENTY-SECOND DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Jim Turner, a guest of Representative Michael E. Noel.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 6, 2004

The Senate passed **S.B. 122**, PAYMENT OF CLAIMS ON DECEASED SETTLOR'S ESTATE, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 137**, INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION – APPLICATION FEE, by Senator K. Hale, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 122** and **S.B. 137**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 6, 2004

The Senate passed, **H.B. 55**, SCHOOL AND INSTITUTIONAL TRUST LAND AMENDMENTS, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 58**, TRUST LANDS ADMINISTRATION, by Representative D. Bowman, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 73**, PATTERN OF UNLAWFUL ACTIVITY ACT AMENDMENTS, by Representative T. McCartney, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 55, H.B. 58, and H.B. 73** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 6, 2004
The Senate passed, as amended, **H.B. 32, LIEN AMENDMENTS**, by Representative M. Morley, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 32**, placed on the calendar for concurrence.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 6, 2004
The Government Operations Committee recommends **H.B. 226, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS**, by Representative D. Ure, be replaced and favorably recommends **1st Sub. H.B. 226, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS**; and

The Government Operations Committee recommends **H.B. 231, REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE**, by Representative C. Bennion, be replaced and favorably recommends **2nd Sub. H.B. 231, REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE**; and

The Government Operations Committee reports a favorable recommendation on **S.B. 4, REPEAL OF COST-SAVINGS SUGGESTIONS PILOT PROGRAM**, by Senator B. Evans; and

The Government Operations Committee reports a favorable recommendation on **S.B. 115, SPECIAL ELECTION DATES**, by Senator C. Bramble.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

Sub. H.B. 226, 2nd Sub. H.B. 231, S.B. 4, and S.B. 115, read the second time by short title and placed on the calendar for third reading.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 6, 2004
The Government Operations Committee has returned **H.J.R. 14, RESOLUTION PROVIDING FOR RECALL OF ELECTED OFFICIALS**, by

Representative D. Hogue, to the Rules Committee, with a recommendation that it be referred to interim study.

James A. Ferrin, Chair

Report filed. **H.J.R. 14**, was returned to the Rules Committee.

* * *

Mr. Speaker: February 6, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 256**, EXPANSION OF ECONOMIC DEVELOPMENT WEBPAGE, by Representative S. Allen, et al, with the following amendments:

1. Page 4, Lines 100 through 102:

100 (v) Department of Administrative Services – Division of Purchasing and General Services ~~[[and]]~~

101 ~~[[Procurement]]~~, including other state agencies operating under a grant of authority from the

102 division to procure goods and services in excess of \$5,000; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 238**, WORKERS' COMPENSATION ACCESS TO MEDICAL RECORDS, by Representative J. Alexander, with the following amendments:

1. Page 2, Lines 37 through 39:

37 (c) An employee claiming benefits under this chapter, or Chapter 3, Utah Occupational

38 Disease Act, shall comply with rules adopted by the commission regarding disclosure of

39 medical records of the employee medically relevant to the industrial accident or occupational disease claim.

2. Page 4, Lines 110 through 115:

110 (9) (a) Except as provided in Subsection (9)(c), a physician attending an injured

111 employee shall ~~[-(i)]~~ comply with ~~[all-the]~~ rules ~~[-including the schedule-of]~~ established by the

112 commission regarding:

113 (i) fees[~~;~~] for [the] physician's services [~~as adopted by the~~
~~commission; and~~ (ii) ~~make~~];

114 (ii) disclosure of medical records of the employee medically
relevant to the employee's industrial

115 accident, or occupational disease claim; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 5**, EMPLOYMENT SECURITY MODIFICATIONS, by Senator S. Jenkins.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

H.B. 256, as amended, and **H.B. 238**, as amended, read the second time by short title and placed on the calendar for third reading.

S.B. 5, read the second time by short title and referred to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker:

February 6, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 109**, INDIVIDUAL INCOME TAX CONTRIBUTIONS FOR EDUCATION, by Senator D. Thomas; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 125**, COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS, by Representative T. Kiser, with the following amendments:

1. Page 1, Line 13:
After "include" delete "a "convention facility" or"
2. Page 1, Line 14:
Delete "terms "conventional facility" and" and insert "term"
3. Page 2, Line 40:
Delete line 40
4. Page 2, Line 41:
Delete "(4)" and insert "(3)"

5. Page 2, Line 42:
Delete (5) and insert (4)
6. Page 3, Line 65:
After “Subsection” delete “(5)” and insert “(4)”
7. Page 3, Line 71:
Delete “(6)” and insert “(5)”
8. Page 3, Line 73:
Delete “(7)” and insert “(6)”
9. Page 3, Line 75:
After “system,” delete “convention facility.”
10. Page 3, Line 77:
Delete “(8)” and insert “(7)”
11. Page 3, Line 79:
Delete “(9)” and insert “(8)”
12. Page 3, Line 85:
Delete “(10)” and insert “(9)” and after “Subsection” delete “(10)” and insert “(9)”; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 252**, CALCULATION OF PROPERTY TAX LEVIES, by Representative M. Newbold; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 230**, PROPERTY TAX LEVY FOR EDUCATION, by Representative M. Styler, with the following amendments:

1. Page 1, Line 11:
Delete “.001743” and insert “.001754”
2. Page 3, Line 64:
Delete “.001743” and insert “.001754”

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

S.B. 109, **H.B. 125**, as amended, **H.B. 252**, and **H.B. 230**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 6, 2004

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 116**, FACILITIES WITH REGIONAL IMPACT, by Representative R. Becker, et al; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 162**, CANDIDACY FOR MUNICIPAL ELECTIONS, by Representative J. Dougall; and

The Political Subdivisions Committee recommends **H.B. 254**, SOLID WASTE LANDFILL AMENDMENTS, by Representative D. G. Buxton, be replaced and reports a favorable recommendation on **1st Sub. H.B. 254**, SOLID WASTE LANDFILL AMENDMENTS with the following amendments:

1. Page 7, Line 199:

199 waste, will not be located within 1/4 mile of the following, unless allowed by the local zoning ordinances :

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 116, **H.B. 162**, and **Sub. H.B. 254**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 6, 2004

The Education Committee recommends **H.B. 22**, CIVIC AND CHARACTER EDUCATION IN SCHOOLS, by Representative L. Christensen, be replaced and favorably recommends **1st Sub. H.B. 22**, CIVIC AND CHARACTER EDUCATION IN SCHOOLS; and

The Education Committee recommends **H.B. 100**, SCHOOL PROFESSIONAL DEVELOPMENT DAYS, by Representative B. Last, be replaced and favorably recommends **1st Sub. H.B. 100**, SCHOOL PROFESSIONAL DEVELOPMENT DAYS; and

The Education Committee reports a favorable recommendation on **H.B. 248**, DISCLOSURE OF HIGHER EDUCATION COSTS, by Representative R. Bigelow, with the following amendments:

1. Page 2, Line 29:

After “its” insert “undergraduate resident”

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

Sub. H.B. 22, Sub. H.B. 100, and H.B. 248, as amended, read the second time by short title and placed on the calendar for third reading.

CONCURRENCE CALENDAR

On motion of Representative Curtis, the House voted to concur in the Senate amendments to **H.B. 37, SUNSET REAUTHORIZATIONS**.

H.B. 37, as amended by the Senate, then passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|---------|----------|-------------|--------|
| Bennion | Bird | Christensen | Dee |
| Frank | Hughes | Lockhart | Morley |
| Philpot | Thompson | Ure | |

Absent or not voting were: Representatives

| | | |
|--------|--------|--------|
| Bryson | Ferrin | Harper |
|--------|--------|--------|

H.B. 37, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Snow, the House voted to concur in the Senate amendments to **H.B. 49**, NATURAL GAS TECHNICIAN.

H.B. 49, as amended by the Senate, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|--------|--------|
| Bryson | Ferrin | Harper | Styler |
|--------|--------|--------|--------|

H.B. 49, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Murray, the House voted to concur in the Senate amendments to **H.B. 24**, MOTOR VEHICLES CODE REVISIONS.

H.B. 24, as amended by the Senate, then passed on the following roll call:

Yeas, 63; Nays, 10; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Buffmire | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|-------------|---------|
| Biskupski | Bush | Christensen | Dayton |
| Ferry | Hogue | Morley | Philpot |
| G. Snow | Thompson | | |

Absent or not voting were: Representatives

| | |
|--------|--------|
| Bryson | Harper |
|--------|--------|

H.B. 24, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

H.R. 9, HOUSE RULES RESOLUTION REPORTING REQUIREMENTS, read the third time by short title and placed on its final passage.

H.R. 9 then passed on the following roll call:

Yeas, 51; Nays, 24; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |

| | | | |
|-------------|----------|-------------|----------|
| Buttars | Buxton | D. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Gowans | Hardy | Harper |
| Hendrickson | Hogue | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Love |
| Morley | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------------|-----------|-----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Christensen | S. Clark | Daniels | Duckworth |
| Ferrin | Goodfellow | Hansen | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Shurtliff |

H.R. 9 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

Sub. H.C.R. 6, RESOLUTION OPPOSING INTERNET ACCESS TAXES, read the third time by short title and placed on its final passage.

On motion of Representative Bennion, the House voted to circle **Sub. H.C.R. 6.**

* * *

H.B. 206, CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Noel, the House voted to delete **H.B. 206** in title and body and insert **2nd Sub. H.B. 206** in lieu thereof.

Representative Last proposed the following amendment:

1. Page 5, Line 138:
Delete "14" and insert "10"

2. Page 5, Line 140:
After "Council" insert "and any county"

Representative Hogue proposed the following substitute motion to amend:

Include Representative Last's motion to amend plus the following:

1. Page 3, Line 63:
Delete "may" and insert "shall"
2. Page 6, Line 163:
After "Governor" insert "or Attorney General"
3. Page 6, Line 168:
Delete "may" and insert "shall"

Representative Hogue's motion to amend passed on a voice vote with the following exception, amendment #2 failed on a voice vote.

2nd Sub. H.B. 206, as amended, then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative Love

2nd Sub. H.B. 206, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 229, PUBLIC UTILITY EASEMENTS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

- 1. Page 2, Lines 35 through 37
House Committee Amendments
1-29-2004

35 (b) Notwithstanding Subsection (3), a public utility shall restore or repair, at the
 36 expense of the public utility, any ^H BOUNDARY LINE FENCE, ^H grass, soil, shrubbery, bushes, flowers, other low level vegetation, sprinkler system, irrigation system, gravel, flat concrete, or
 36a asphalt damaged or
 37 displaced from the exercise of the easement rights described in Subsection (2)(a).

Representative Ferry proposed the following substitute motion to amend:

- 1. Page 2, Lines 35 through 37
House Committee Amendments
1-29-2004

35 (b) Notwithstanding Subsection (3), a public utility shall restore or repair, at the
 36 expense of the public utility, any ^H BOUNDARY LINE FENCE, ^H grass, soil, shrubbery, bushes, flowers, other low level vegetation, sprinkler system, irrigation system, gravel, flat concrete, or
 36a asphalt damaged or
 37 displaced from the exercise of the easement rights described in Subsection (2)(a).

Representative Ferry’s motion to amend passed on a voice vote.

###

Representative Christensen proposed the following amendment:

1. Page 2, Line 56:
Delete "receive final approval for recording" and insert "be recorded"
2. Page 2, Line 57:
After "utility" insert "as identified by the municipality or county as"

On motion of Representative Cox, the House voted to circle **H.B. 229**.

RULES COMMITTEE REPORT

Mr. Speaker:

February 9, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 173 Liability Insurance for Contractors – Monitoring System
(Rep. M. Morley)

EDUCATION

H.B. 320 Transferability of Credits among Higher Education
Institutions (Rep. B. Johnson)

HEALTH AND HUMAN SERVICES

H.B. 257 Electro Shock Therapy Amendments (Rep. K. Bryson)

JUDICIARY

S.B. 122 Payment of Claims on Deceased Settlor's Estate
(Sen. J. Valentine)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 121 Code of Criminal Procedure Amendments (Rep. J. Seitz)
S.B. 137 Interstate Compact for Adult Offender Supervision –
Application Fee (Sen. K. Hale)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 131 Eminent Domain Amendments (Rep. B. Ferry)
H.B. 138 Trespassing on State Park Lands (Rep. S. Allen)
H.J.R. 20 Resolution Regarding Radiation Exposure Compensation
Act (Rep. D. Peterson)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 10, 2004, at 10:00 a.m.

TWENTY-THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Scott Daniels, excused.

Pledge of Allegiance and prayer by Representative D. Gregg Buxton.

MISCELLANEOUS BUSINESS

Speaker Stephens announced that **S.B. 8** was not properly before the House when it placed on the Third Reading Calendar for reconsideration. The bill was removed from the Third Reading Calendar pending further action.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 9, 2004

The Senate passed, as amended, **S.B. 136**, UNIFORM INTERSTATE FAMILY SUPPORT ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 65**, COUNTY CLASSIFICATION AMENDMENTS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 145**, COUNTY SURVEYOR AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 149**, PETE SUAZO UTAH ATHLETIC COMMISSION ACT AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed **S.J.R. 6**, RESOLUTION ON IMPEACHMENT AUTHORITY, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 44**, CHILD CARE CENTERS REGULATIONS, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed **S.B. 141**, NEW JUDGE – SECOND DISTRICT COURT, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 142**, VALIDITY OF MARRIAGE LICENSES, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed **S.B. 152**, DIVISION OF COMMUNITY DEVELOPMENT NAME CHANGE, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 136, S.B. 65, S.B. 145, S.B. 149, S.J.R. 6, Sub. S.B. 44, S.B. 141, S.B. 142**, and **S.B. 152**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 9, 2004

The Senate refuses to concur with the House Amendments to **S.J.R. 4**, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS, by Senator L. Hillyard, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Dillree, the House voted to refuse to recede from the Senate amendments to **S.J.R. 4**. The Speaker was authorized to appoint a conference committee. The Speaker appointed Representatives Dillree, Harper, and Hendrickson.

* * *

Mr. Speaker: February 9, 2004

The Senate concurred in the House amendments and passed **1st Sub. S.B. 97**, CERTIFICATION DEADLINE FOR POLITICAL PARTIES, by Senator C. Bramble, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 97** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 9, 2004

The Senate passed, **H.B. 186**, EVALUATION AND COUNSELING PRIOR TO TERMINATION PROCEEDINGS, by Representative M. Thompson, which

has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 192**, REPEAL OF THRIFTS SETTLEMENT FINANCING PROVISIONS, by Representative G. Curtis, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 186** and **H.B. 192** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 9, 2004

The Judiciary Committee reports a favorable recommendation on **H.J.R. 10**, JOINT RESOLUTION REAFFIRMING THE STATE OF UTAH'S COMMITMENT TO THE CONSTITUTION AND THE BILL OF RIGHTS, by Representative S. Allen, with the following amendments:

1. Page 2, Lines 31 through 37:

31 WHEREAS, the state of Utah expresses its appreciation and support for those men and

32 women serving in the armed forces and in law enforcement agencies who protect and defend

33 Americans from terrorist attack;

34 ~~[[WHEREAS, the state of Utah has a long tradition of protecting human rights and civil~~

35 ~~liberties both in times of threat and in times of peace;]]~~

36 WHEREAS, the preservation of civil rights and liberties is essential to the well-being

37 of a democratic society;; and

The Judiciary Committee reports a favorable recommendation on **H.B. 97**, PROTECTIVE ORDER AMENDMENTS, by Representative K. Holdaway, with the following amendments:

1. Page 8, Lines 229 through 236:

- 229 (2) Upon the filing of a petition, the clerk of the court shall:
- 230 (a) review the records of the juvenile court, the district court, and
the management information system of the division to find
- 231 any petitions, orders, or investigations related to the child or the
parties to the case;
- 232 (b) request the records of any law enforcement agency identified by
the petitioner as
- 233 having investigated ~~[[domestic violence against the petitioner or]]~~
~~abuse~~ ~~[[or neglect]]~~ of the child;
- 234 and
- 235 (c) identify and obtain any other background information that may
be of assistance to
- 236 the court; and

The Judiciary Committee reports a favorable recommendation on **H.J.R. 16**, RESOLUTION AMENDING RULES OF CIVIL PROCEDURE – JUDGMENT, by Representative G. Curtis, with the following amendments:

1. Page 1, Lines 11 through 14:
 - 11 Highlighted Provisions:
 - 12 This resolution:
 - 13 ▶ limits the appellate bond amount to ~~[[10% of the~~
~~defendant's net worth or]]~~
 - 14 \$25,000,000; and; and

The Judiciary Committee reports a favorable recommendation on **H.B. 128**, AMENDMENTS TO OPERATING UNDER THE INFLUENCE, by Representative D. Love; and

The Judiciary Committee reports a favorable recommendation on **H.B. 124**, SMALL CLAIMS COURT JURISDICTION AMENDMENTS, by Representative S. Urquhart; and

The Judiciary Committee reports a favorable recommendation on **S.B. 118**, JUDICIARY AMENDMENTS, by Senator L. Hillyard.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.J.R. 10, as amended, **H.B. 97**, as amended, **H.J.R. 16**, as amended, **H.B. 128**, **H.B. 124**, and **S.B. 118**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 6, 2004

The Health and Human Services Committee recommends **1st Sub. S.B. 69**, PARTIAL BIRTH ABORTION AMENDMENTS, by Senator C. Bramble, et al, be replaced and favorably recommends **2nd Sub. S.B. 69**, PARTIAL BIRTH ABORTION AMENDMENTS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 249**, NURSING CARE FACILITY MEDICAID CERTIFICATION AMENDMENTS, by Representative R. Lockhart; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 90**, ACCESS TO CHILD WELFARE HEARINGS, by Representative M. Morley, with the following amendments:

1. Page 2, Lines 36 through 37:

36 (ii) The court ~~[[may]]~~ shall admit reasonable numbers of persons requested by the parent or legal guardian to be present

37 if persons are present to support the family.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human committee were adopted.

2nd Sub. S.B. 69, **H.B. 249**, and **H.B. 90**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 6, 2004

The Business and Labor Committee recommends **H.B. 105**, CONTINUING EDUCATION FOR CONTRACTORS, by Representative J. S. Adams, be replaced and reports a favorable recommendation on **1st Sub. H.B. 105**, CONTINUING EDUCATION FOR CONTRACTORS with the following amendments:

1. Page 4, Lines 90 through 94:

90 (21) if licensed as a contractor, not completing a three-hour core
education class and an
 91 additional ~~[[nine]] three~~ hours of professional education approved
by the division and the Construction
 92 Services Commission within each two-year renewal cycle, unless
an exemption has been
 93 granted to the licensee by the Construction Services Commission,
with the concurrence of the
 94 division.

2. Page 7, Line 192:

192 This bill takes effect on ~~[[January 1]] August 1~~, 2005.; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 250, PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS**, by Representative T. Kiser, with the following amendments:

1. Page 4, Lines 107 through 114:

107 (1) Each rate, rating schedule, and rating manual filed [~~with the~~
~~commissioner]~~ for

108 personal lines insurance [~~covering a vehicle or the operation of a~~
~~vehicle]~~ may not permit a

109 premium increase due to:

110 (a) a telephone call or other inquiry that does not result in the
insured ~~[[demanding]] requesting~~

111 payment of a claim; or

112 (b) a claim under a policy of insurance covering a motor vehicle or
the operation of a motor vehicle resulting from any incident, including
 acts of vandalism, in which the

113 person named in the policy or any other person using ~~[[the]]~~
~~[[an]]~~ insured motor vehicle with the

114 express or implied permission of the named insured is not at fault.

2. Page 18, Lines 539 through 544:

539 (c) Subject to Subsections (5)(a) and (b), before the disbursement of
funds any changes

540 to any settlement statement made after the final closing documents
 541 are executed shall be authorized or

542 acknowledged by signature of the party or parties affected by the
 543 change. [[:

544 (i) all buyers or borrowers;

545 (ii) all sellers; and

546 (iii) the escrow officer.]]]; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 14**, INSURANCE CODE EXEMPTION, by Senator G. Bell; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 34**, OCCUPATIONAL THERAPISTS AMENDMENTS, by Senator G. Davis; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 43**, RECREATIONAL THERAPY PRACTICE AMENDMENTS, by Senator G. Davis, with the following amendments:

1. Page 2, Line 29
 Senate Committee Amendment
 dated 1-27-2004:
 After line 29 insert:
 “63-55-258, as last amended by Chapters 49 and 254, Laws of Utah
 2003”
2. Page 6, Line 159
 Senate Committee Amendment
 dated 1-27-2004:
 After line 159 insert:
 “Section 5. Section 63-55-258 is amended to read:
 63-55-258. Repeal dates, Title 58.
 (1) Title 58, Chapter 3a, Architects Licensing Act, is repealed July 1,
 2013.
 (2) Title 58, Chapter 5a, Podiatric Physician Licensing Act, is repealed
 July 1, 2007.
 (3) Title 58, Chapter 9, Funeral Services Licensing Act, is repealed July
 1, 2008.
 (4) Title 58, Chapter 13, Health Care Providers Immunity from
 Liability Act, is repealed July 1, 2006.
 (5) Title 58, Chapter 15, Health Facility Administrator Act, is repealed

July 1, 2005.

(6) Title 58, Chapter 16a, Utah Optometry Practice Act, is repealed July 1, 2009.

(7) Title 58, Chapter 17a, Pharmacy Practice Act, is repealed July 1, 2006.

(8) Title 58, Chapter 20a, Environmental Health Scientist Act, is repealed July 1, 2013.

(9) Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, is repealed July 1, 2005.

(10) Title 58, Chapter 24a, Physical Therapist Practice Act, is repealed July 1, 2013.

(11) Title 58, Chapter 26a, Certified Public Accountant Licensing Act, is repealed July 1, 2007.

(12) Title 58, Chapter 28, Veterinary Practice Act, is repealed July 1, 2004.

(13) Title 58, Chapter 31b, Nurse Practice Act, is repealed July 1, 2005.

(14) Title 58, Chapter 37, Utah Controlled Substances Act, is repealed July 1, 2007.

(15) Title 58, Chapter 37a, Utah Drug Paraphernalia Act, is repealed July 1, 2007.

(16) Title 58, Chapter 37b, Imitation Controlled Substances Act, is repealed July 1, 2007.

(17) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, [~~2005~~] 2013.

(18) Title 58, Chapter 41, Speech–language Pathology and Audiology Licensing Act, is repealed July 1, 2009.

(19) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2005.

(20) Title 58, Chapter 44a, Nurse Midwife Practice Act, is repealed July 1, 2010.

(21) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1, 2013.

(22) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2004.

(23) Title 58, Chapter 49, Dietitian Certification Act, is repealed July 1, 2005.

(24) Title 58, Chapter 53, Landscape Architects Licensing Act, is repealed July 1, 2008.

(25) Title 58, Chapter 59, Professional Employer Organization Licensing Act, is repealed July 1, 2007.

(26) Title 58, Chapter 67, Utah Medical Practice Act, is repealed July 1,

2006.

(27) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, is repealed July 1, 2006.

(28) Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act, is repealed July 1, 2006.

(29) Title 58, Chapter 71, Naturopathic Physician Practice Act, is repealed July 1, 2006.

(30) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2007.

(31) Title 58, Chapter 73, Chiropractic Physician Practice Act, is repealed July 1, 2006.”

Renumber remaining sections accordingly

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

Sub. H.B. 105, as amended, **H.B. 250**, as amended, **Sub. S.B. 14**, **S.B. 34**, and **S.B. 43**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 9, 2004

The Law Enforcement and Criminal Justice Committee recommends **H.B. 123**, DRUG LAB CLEANUP AND DISCLOSURE, by Representative D. Litvack, et al, be replaced and favorably recommends **1st Sub. H.B. 123**, DRUG LAB CLEANUP AND DISCLOSURE; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 39**, SPECIAL FUNCTIONS OFFICERS FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, by Representative J. M. Philpot, with the following amendments:

1. Page 2, Lines 31 through 33:

31 (2) An investigator employed under Subsection (1) is a special function officer, as

32 defined in Section 53-13-105, but is not eligible for retirement benefits under the Public Safety

33 Noncontributory Retirement System.

(3)(a) It is not the intent of the Legislature to designate the division

as an agency whose primary purpose would be that of general law enforcement.

(b) The primary purpose of the division is to administer and enforce the provisions of Title 58, Occupations and Professions; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 161**, LAW ENFORCEMENT AMENDMENTS, by Representative C. Moss, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

Sub. H.B. 123 and **H.B. 39**, as amended, read the second time by short title and placed on the calendar for third reading.

H.B. 161, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 9, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 118**, BRAND INSPECTION AMENDMENTS, by Representative D. Ure; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 1**, RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL, by Representative T. Kiser, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Line 34:
After “WHEREAS,” delete “setting aside the land as open space, thus limiting human intrusion,” and insert “creating and implementing a joint plan for Jordan River open space that”
2. Page 2, Line 44:
After “state” insert “while recognizing the need to respect and accommodate public utility rights of way impacted by the process and respecting property rights”; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 255**, WILDLIFE RESTITUTION

AMENDMENTS, by Representative R. Barrus, and recommends it be placed on the Consent Calendar.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 118, read the second time by short title and placed on the calendar for third reading.

H.C.R. 1, as amended, and **H.B. 255**, read the second time by short title and placed on the Consent Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Hardy, the House voted to allow a bill file be opened for a resolution regarding Eligibility for Interscholastic Athletics.

On motion of Representative Adams, the House voted to allow a bill file be opened for a resolution regarding Military Appreciation week.

On motion of Representative Lawrence, the House voted to allow a bill file be opened regarding Regional Dental Education program.

UNFINISHED BUSINESS

On motion of Representative Webb, the House voted to uncircle **H.B. 229**.

H.B. 229, PUBLIC UTILITY EASEMENTS, was before the House on its final passage.

Representative Webb proposed, under suspension of the rules, the following amendment:

1. Page 2, Lines 56 and 57:
Delete "receive final approval for recording by a municipality or county" and insert "be recorded"
2. Page 2, Line 57:
After "utility" insert "as identified by the municipality or county as"

Representative Webb's motion to amend passed on a voice vote.

H.B. 229, as amended, then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|----------|---------|
| S. Allen | Daniels |
|----------|---------|

H.B. 229, as amended, transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.B. 32**, LIEN AMENDMENTS.

H.B. 32, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |

| | | | |
|------------|--------------|------------|-------------|
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|---------|
| Biskupski | Buffmire | Curtis | Daniels |
| Dillree | Ferry | Seitz | |

H.B. 32, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **Sub. H.B. 54**.

Sub. H.B. 54, VIDEOTAPE OF MINORS, was before the House on its final passage.

On motion of Representative Pace, the House voted to reconsider its action on Representative Harper's Amendment #1 previously passed. The motion to reconsider passed.

Representative Harper proposed the following amendment:

1. Page 1, Lines 13 through 14:

13 ▶ requires that the child and interviewer be simultaneously recorded;[[and]]

14 ▶ requires that the recording be continuous and display time and date ;

 ▶ provides that interviews are to be conducted in an existing facility, when available;

- ▶ encourages a worker to audiotape all interactions with a child; and
- ▶ allows an accompanying parent or guardian to audiotape interactions between the worker and the child .

2. Page 2, Lines 26 through 34:

26 (1) Interviews of children during an investigation in accordance with Section 62A-4a-409

27 shall be conducted only under the following conditions:

28 [(4)] (a) the interview shall be recorded visually and aurally on film, videotape, or by other

29 electronic means;

30 [(2)] (b) both the interviewer and the child shall be simultaneously recorded and visible on

31 the final product;

32 [(3)] (c) the time and date of the interview shall be continuously and clearly visible to any

33 subsequent viewer of the recording; and

34 [(4)] (d) the recording equipment shall run continuously for the duration of the interview.

(2) If reasonably available, interviews conducted in accordance with this section shall be carried out in an existing interview room or division offices. If circumstances require that an interview take place outside of a prepared facility, the interviewer shall use the best equipment available under the circumstances.

(3) A worker who meets with a child for any reason shall be encouraged to record any interaction by means of audiotape.

(4) A parent or guardian who accompanies a child while meeting with a worker may not be prohibited from audiotaping the interaction between the child and worker.

Representative Pace proposed the following substitute motion to amend:

1. Page 1, Line 14

14 ▶ requires that the recording be continuous and display time and date ;

▶ provides that interviews are to be conducted in an existing Children's Justice Center facility, when available;

- ▶ encourages a worker to audiotape all investigative interviews with a child; and
- ▶ allows an accompanying parent or guardian to audiotape interactions between the worker and the child.

2. Page 2, Lines 26 through 34:

26 (1) Interviews of children during an investigation in accordance with Section 62A-4a-409

27 shall be conducted only under the following conditions:

28 [[~~(1)~~]] (a) the interview shall be recorded visually and aurally on film, videotape, or by other

29 electronic means;

30 [[~~(2)~~]] (b) both the interviewer and the child shall be simultaneously recorded and visible on

31 the final product;

32 [[~~(3)~~]] (c) the time and date of the interview shall be continuously and clearly visible to any

33 subsequent viewer of the recording or clearly stated at the beginning of any audio taping session ; and

34 [[~~(4)~~]] (d) the recording equipment shall run continuously for the duration of the interview.

(2) If reasonably available, interviews conducted in accordance with this section shall be carried out in an existing Children's Justice Center or in other interview rooms. If circumstances require that an interview take place outside of a prepared facility, the interviewer shall use the best equipment and the best setting available under the circumstances.

(3) A worker who meets with a child for the purposes of an investigative interview shall be encouraged to record the interview session by means of audiotape.

(4) A parent or guardian who accompanies a child while meeting with a worker may not be prohibited from audiotaping the interaction between the child and worker.

Representative Pace's motion to amend passed on a voice vote.

Sub. H.B. 54, as amended, then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Murray | Newbold |
| Noel | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | |
|---------|------|
| Litvack | Moss |
|---------|------|

Absent or not voting were: Representatives

| | | | |
|----------|---------|-------|----------|
| Buffmire | Daniels | Frank | Peterson |
|----------|---------|-------|----------|

Sub. H.B. 54, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Bennion, the House voted to uncircle **Sub. H.C.R. 6**.

Sub. H.C.R. 6, RESOLUTION OPPOSING INTERNET ACCESS TAXES, was before the House on its final passage.

Sub. H.C.R. 6 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |

| | | | |
|--------------|-------------|-------------|------------|
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|---------|----------|
| Buffmire | S. Clark | Daniels | Peterson |
|----------|----------|---------|----------|

Sub. H.C.R. 6 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 43, NO CHILD LEFT BEHIND OPT OUT, read the third time by short title and placed on its final passage.

On motion of Representative Dayton, the House voted to delete **H.B. 43** in title and body and insert **Sub. H.B. 43** in lieu thereof.

Representative Dougall proposed the following amendment:

1. Page 1, Lines 8 through 9:

8 This bill modifies the State System of Public Education by prohibiting any further

9 participation in the No Child Left Behind Act of 2001 except where there is adequate federal funding to improve the academic performance of all students .

2. Page 2, Lines 27 through 29:

27 The State Board of Education and school districts may not enter into a contract or other

28 agreement or otherwise further participate in the “No Child Left Behind Act of 2001,” except

29 where there is adequate federal funding to improve the academic performance of all students .

Representative Holdaway proposed the following substitute motion to amend:

1. Page 1, Lines 8 through 9

8 This bill modifies the State System of Public Education by prohibiting any further

9 participation in the No Child Left Behind Act of 2001 . except where there is adequate federal funding, beginning on July 1, 2005.

2. Page 2, Lines 27 through 29:

27 (1) Beginning on July 1, 2005, the [[The]] State Board of Education and school districts may not enter into a contract or other

28 agreement or otherwise further participate in the “No Child Left Behind Act of 2001,” except

29 where there is adequate federal funding . as provided in Section 9527(a) of the No Child Left Behind Act of 2001, 20 U.S.C. 6301 et seq.

(2) No later than ninety days after the effective date of this bill, the State Board of Education shall submit to the Legislature a detailed financial analysis of the projected costs for the state and each school district of compliance with the No Child Left Behind Act of 2001, including:

(a) the amount of new federal funds the state can reasonably expect per year under the act;

(b) the financial consequences to the state and each school district for noncompliance with the act;

(c) the projected costs for all schools to make adequate yearly progress each year through the 2013–2014 school year;

(d) the costs to have all students performing at the proficient level on achievement tests;

(e) the costs of providing intervention services to students who are not achieving at expected levels;

(f) the costs of professional development needed for educators to implement the provisions of the No Child Left Behind Act of 2001; and

(g) the costs of complying with the requirement that teachers of core subjects be highly qualified.

Representative Holdaway's substitute motion to amend failed on a voice vote.

Representative Dougall's motion to amend failed on a voice vote.

Sub. H.B. 43, as amended, then passed on the following roll call:

Yeas, 64; Nays, 8; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dayton | Dee | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | McCartney | McGee | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|---------|---------|
| Bennion | Bourdeaux | Curtis | Dougall |
| Holdaway | Litvack | Mascaro | Morgan |

Absent or not voting were: Representatives

| | | |
|---------|---------|--------|
| Daniels | Dillree | Styler |
|---------|---------|--------|

Sub. H.B. 43, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 10, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 292 Vehicle Franchise Amendments (Rep. G. Curtis)

S.B. 149 Pete Suazo Utah Athletic Commission Act Amendments
(Sen. E. Mayne)

HEALTH AND HUMAN SERVICES

H.B. 127 Certified Medication Aide (Rep. R. Lockhart)

JUDICIARY

- H.B. 68** Criminal Penalty Amendment (Rep. D. Litvack)
- H.B. 149** New Automobile Franchise Act (Rep. G. Curtis)
- S.B. 136** Uniform Interstate Family Support Act (Sen. L. Hillyard)
- S.B. 141** New Judge – Second District Court (Sen. G. Bell)
- S.J.R. 6** Resolution on Impeachment Authority (Sen. J. Valentine)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 289 Alcoholic Beverage Amendments Related to Minors
(Rep. L. Pace)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 158 Water Shares in a Municipal Water Company
(Rep. G. Hughes)

POLITICAL SUBDIVISIONS

- S.B. 65** County Classification Amendments (Sen. L. Blackham)
- S.B. 142** Validity of Marriage Licenses (Sen. G. Davis)
- S.B. 145** County Surveyor Amendments (Sen. C. Walker)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

- 1st Sub. S.B. 44** Child Care Centers Regulations (Sen. P. Hellewell)
- S.B. 152** Division of Community Development Name Change
(Sen. S. Jenkins)

Marda Dillree, Chair

Report filed. On motion of Representative Philpot, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 1:30 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 1:30 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2004
 The Senate passed, as substituted, **1st Sub. S.B. 138**, FISHING AND HUNTING LICENSE AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. **Sub. S.B. 138**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 10, 2004
 The President of the Senate has signed **H.B. 24**, MOTOR VEHICLES CODE REVISIONS, by Representative J. Murray, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 37**, SUNSET REAUTHORIZATIONS, by Representative G. Curtis, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 49**, NATURAL GAS TECHNICIAN CERTIFICATION, by Representative G. Snow, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 72**, RELEASE OF CLAIMS ON BEHALF OF A MINOR, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
 Secretary of the Senate

Communications filed. **H.B. 24**, **H.B. 37**, **H.B. 49**, and **H.B. 72** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 10, 2004
 The Government Operations Committee reports a favorable recommendation on **H.B. 114**, MONEY MANAGEMENT ACT AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 9, Lines 247 through 249:

247 ~~(2) [[Certified]]~~ (a) Except as provided in subsection (2)(b), certified investment advisers acting on behalf of a public treasurer shall conduct

248 investment transactions only through qualified depositories, certified dealers, or directly with

249 issuers of the investment securities.

(b) Certified investment advisers may use a primary dealer who is not a certified dealer or a broker-dealer who is not a certified dealer, if the council has qualified the dealer or broker-dealer according to the procedures and requirements established in the rules made as required in Subsection (2)(c).

(c) The council shall make rules establishing standards and procedures that certified investment advisers may follow in order to qualify primary dealers and broker-dealers who are not certified dealers; and

The Government Operations Committee recommends **H.B. 228, SALE, EXCHANGE, OR DONATION OF REAL PROPERTY BY STATE AGENCIES**, by Representative D. Ure, be replaced and reports a favorable recommendation on **1st Sub. H.B. 228, SALE, EXCHANGE, OR DONATION OF REAL PROPERTY BY STATE AGENCIES** with the following amendments:

1. Page 9, Line 272 through Page 10, Line 282:

272 (6) Notwithstanding the provisions of Subsection (2) (a)(iv), the following entities may

273 hold title to any real property, buildings, fixtures, and appurtenances held by them for purposes

274 other than administration that are under their control and management:

275 (a) the Office of Trust Administrator;

276 (b) the Department of Transportation;

277 ~~[(e) the Division of Forestry, Fire and State Lands;]~~

278 ~~[[~~(d)~~]]~~ (c) the Department of Natural Resources and its divisions ;

279 ~~[[~~(e)~~]]~~ (d) the [Utah National Guard] State Armory Board;

280 ~~[[~~(f)~~]]~~ (e) any area vocational center or other institution administered by the State Board of

281 Education; and

282 ~~[(g)]~~ (f) any institution of higher education; and

The Government Operations Committee reports a favorable recommendation on **H.B. 265**, DESIGNATION OF COMMEMORATIVE DAYS, by Representative D. Bush, with the following amendments:

1. Page 1, Lines 12 through 14:

12 This bill:

13 ▶ designates the third Monday in May as Yellow Ribbon Day;

14 ▶ designates ~~[[September—19]]~~ the third Friday in September as POW/MIA Recognition Day; and

2. Page 2, Lines 28 through 35:

28 ~~(1)~~ The following days shall be commemorated yearly ~~[on the designated calendar~~

29 ~~date]~~:

30 ~~[(1)]~~ (a) Bill of Rights Day, on December 15; ~~[and]~~

31 ~~[(2)]~~ (b) Constitution Day, on September 17~~[-]~~;

32 (c) Yellow Ribbon Day, on the third Monday in May, in honor of men and women who

33 are serving or have served in the U.S. armed forces around the world in defense of freedom;

34 and

35 (d) POW/MIA Recognition Day, on [[September 19:] the third Friday in September.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

H.B. 114, as amended, **Sub. H.B. 228**, as amended, and **H.B. 265**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 10, 2004
The Political Subdivisions Committee reports a favorable recommendation on **S.B. 116**, COUNTY RECORDER AMENDMENTS, by Senator T. Hatch.

Kory M. Holdaway, Chair

Report filed. On motion of Representative Barrus, the report of the Political Subdivisions committee was adopted.

S.B. 116, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 10, 2004
The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. S.J.R. 5**, RESOLUTION URGING CONGRESS TO ADDRESS CITIZEN CHILDREN OF UNDOCUMENTED PARENTS, by Senator G. Davis.

David N. Cox, Chair

Report filed. On motion of Representative Wallace, the report of the Workforce Services and Community and Economic Development committee was adopted.

Sub. S.J.R. 5, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 10, 2004
The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 117**, INDIVIDUAL INCOME TAX – TREATMENT OF CERTAIN MILITARY INCOME, by Representative D. Peterson; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 168**, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX TASK FORCE, by Representative W. Harper; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 120**, RESIDENTIAL PROPERTY TAX EXEMPTION, by Senator D. Thomas, et al; and

The Revenue and Taxation Committee recommends **2nd Sub. S.B. 82**, DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND, by Senator Ron Allen, be replaced and favorably recommends **4th Sub. S.B. 82**, DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Curtis, the reports of the Revenue and Taxation committee were adopted.

H.B. 117, H.B. 168, S.B. 120, and 4th Sub. S.B. 82, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 188, DONATION OF SURPLUS COMPUTERS TO PERSONS WITH A DISABILITY, read the third time by short title and placed on its final passage.

H.B. 188 then passed on the following roll call:

Yeas, 66; Nays, 1; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|------------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hogue |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative
Dougall

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|------------|-------------|
| Biskupski | Daniels | Ferrin | Hendrickson |
| Holdaway | E. Hutchings | B. Johnson | Pace |

H.B. 188 transmitted to the Senate for its consideration.

* * *

H.B. 94, HEALTH INSURANCE POOL, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

1. Page 6, Lines 152–173:
Delete lines 152 through 173.

Representative Ferry’s motion to amend passed on a voice vote.

H.B. 94, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------------|-------------|
| Biskupski | Ferrin | Goodfellow | Hendrickson |
| Holdaway | | | |

H.B. 94, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Jones, the House voted to uncircle **4th Sub. H.B. 47**.

4th Sub. H.B. 47, SCHOOL VENDING MACHINE SALES, was before the House on its final passage.

On motion of Representative Jones, the House voted to strike the enacting clause on **4th Sub. H.B. 47**.

* * *

On motion of Representative D. Clark, the House voted to uncircle **H.B. 11**.

H.B. 11, UNUSED SICK LEAVE FOR STATE EMPLOYEE PROVISIONS, was before the House on its final passage.

H.B. 11 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|--------|--------|
| Bennion | Biskupski | Ferrin | Harper |
| Hendrickson | Ure | | |

H.B. 11 transmitted to the Senate for its consideration.

* * *

On motion of Representative Aagard, the House voted to uncircle **H.B. 82**.

H.B. 82, VIRTUAL VISITATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Aagard, the House voted to delete **H.B. 82** in title and body and insert **Sub. H.B. 82** in lieu thereof.

Sub. H.B. 82 then passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-------|---------|
| Bryson | McCartney | McGee | Philpot |
| Thompson | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|--------|
| Biskupski | Curtis | Ferrin | Morley |
| Ure | | | |

Sub. H.B. 82 transmitted to the Senate for its consideration.

* * *

On motion of Representative Peterson, the House voted to uncircle **Sub. H.B. 232**.

Sub. H.B. 232, WATER WELL AMENDMENTS, was before the House on its final passage.

Sub. H.B. 232 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|----------|-----------|--------|
| Biskupski | Lockhart | McCartney | Morley |
| M. Stephens | | | |

Sub. H.B. 232 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 59, LIEN FOR HOMEOWNER ASSOCIATION CHARGES, read the third time by short title and placed on its final passage.

Representative Mascaro proposed the following amendment:

- 1. Page 3, Line 59

59 owner in the property[[~~that is subject to the homeowner association~~]].

Representative Mascaro’s motion to amend passed on a voice vote.

###

Representative Adams proposed the following amendment:

- 1. Page 2, Line 51:
After “association” insert “according to it’s governing documents”
- 2. Page 2, Line 57:
After “Subsection (3)” insert “and the association’s governing documents”

Representative Adams’ motion to amend passed on a voice vote.

Representative Dillree declared a conflict of interest because she belongs to a homeowners association.

H.B. 59, as amended, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-----------|--------------|
| Agard | Alexander | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|----------|----------|----------|-------------|
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative Philpot

Absent or not voting were: Representatives

| | | | |
|-------|-----------|-----------|--------|
| Adams | S. Allen | Biskupski | Hansen |
| Jones | McCartney | | |

H.B. 59, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 219, CONSTRUCTION BOND AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 2, Lines 33 through 37
House Committee Amendments
1-29-2004
 - 33 (a) “Commercial contract” means a contract for the construction, alteration, or repair of
 - 34 the following if it is not residential construction:
 - 35 (i) a building;
 - 36 (ii) a structure; or
 - 37 (iii) an improvement upon land that is not associated with a single family detached housing or a residential subdivision .

2. Page 2, Lines 47 through 50
House Committee Amendments
1-29-2004:
 - 47 (d) (i) “Residential construction” means the construction, alteration, or repair of:
 - 48 (A) single family detached housing; or
 - 49 (B) multifamily attached housing up to and including a ~~½~~ [duplex] FOURPLEX ~~½~~ .

50 (ii) “Residential construction” includes rental housing and residential subdivisions .

Representative Morley’s motion to amend passed on a voice vote.

H.B. 219, as amended, then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|-----------|-----------|
| Biskupski | McCartney |
|-----------|-----------|

H.B. 219, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 220, OFF-HIGHWAY VEHICLE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Goodfellow proposed the following amendment:

1. Page 8, Lines 219 through 220:

219 41-22-35(2) shall be ~~[[shall be]]~~deposited in the Land Grant Management Fund created under

220 Section 53C-3-101.”

Representative Becker proposed the following substitute motion to amend: Include Representative Goodfellow’s amendment and the following:

- 1. Page 3, Line 69:

Insert a new subsection (b) as follows: “(b) for the mitigation of impacts associated with off-highway vehicle use;”

Renumber accordingly

Representative Becker’s substitution motion to amend passed on a voice vote.

Sub. H.B. 220, as amended, then passed on the following roll call:

Yeas, 39; Nays, 30; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-----------|-------------|
| S. Allen | Anderson | Barrus | Becker |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Buttars | Buxton | D. Cox |
| Daniels | Duckworth | Ferrin | Ferry |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Holdaway | E. Hutchings | Jones | King |
| Last | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Ure | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | Bigelow |
| Bush | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dunnigan | Frank | Hardy |
| Harper | Hogue | Hughes | Kiser |
| Lawrence | Lockhart | Love | Morley |
| Murray | Newbold | Philpot | Styler |
| Thompson | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|---------|------------|
| Bennion | Biskupski | Dougall | B. Johnson |
| Noel | Urquhart | | |

Sub. H.B. 220, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 214, SCHOOL AND INSTITUTIONAL TRUST LANDS – CLARIFYING REFERENCES TO RULES AND POLICIES, read the third time by short title and placed on its final passage.

H.B. 214 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|------------|----------|
| Biskupski | Dougall | B. Johnson | Urquhart |
|-----------|---------|------------|----------|

H.B. 214 transmitted to the Senate for its consideration.

* * *

H.B. 233, GRAZING PERMIT FEE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 233 then passed on the following roll call:

Yeas, 53; Nays, 15; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Bourdeaux | Bowman | Buffmire | Buttars |
| Buxton | D. Clark | D. Cox | Daniels |
| Dee | Dillree | Duckworth | Dunnigan |
| Ferrin | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | Jones |
| King | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Noel |
| Pace | Peterson | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|---------|-------------|--------|
| Adams | Bigelow | Bryson | Bush |
| Christensen | Dayton | Donnelson | Frank |
| Hughes | Kiser | Lockhart | Morley |
| Newbold | Philpot | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|----------|----------|---------|
| Biskupski | S. Clark | Curtis | Dougall |
| B. Johnson | Seitz | Urquhart | |

H.B. 233 transmitted to the Senate for its consideration.

* * *

H.B. 78, SCHOOL LAND TRUST PROGRAM RESTRICTED ACCOUNT, read the third time by short title and placed on its final passage.

H.B. 78 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|-------------|-----------|-----------|--------------|
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|------------|--------|----------|-------------|
| Biskupski | Bryson | S. Clark | Hendrickson |
| B. Johnson | Ure | | |

H.B. 78 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 50, AUTOMOBILE CRIME PREVENTION, read the third time by short title and placed on its final passage.

Representative Bowman proposed the following amendment:

- 1. Page 6, Lines 160 through 161
House Committee Amendments
1-30-2004

160 (c) providing financial support to ~~[[local]]~~ prosecutors for programs designed to reduce the

161 incidence of automobile crime;

- 2. Page 4, Line 91:

91 (4) "Board" means the ~~[[Utah]]~~ Automobile Crime Prevention Board created in this part.

- 3. Page 4, Line 112:

112 (c) (i) Five members of the [[authority]] board constitute a quorum for the transaction of

4. Page 5, Line 139:

139 and from private and public entities to be used to carry out its purposes[[i]] .

5. Page 5, Lines 144 through 145:

144 (b) award grants or other financial aid in accordance with the rules under [[this]]

145 Subsection (2)(a).

6. Page 6, Line 170

House Committee Amendments
1-30-2004:

170 (2) All funding provided to carry out the purposes of this part [[are]] is nonlapsing.

Representative Bowman’s motion to amend passed on a voice vote.

Sub. H.B. 50, as amended, then failed to pass on the following roll call:

Yeas, 30; Nays, 40; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-----------|-----------|------------|
| S. Allen | Anderson | Barrus | Becker |
| Bird | Bourdeaux | Bowman | Buffmire |
| Bush | D. Clark | Duckworth | Goodfellow |
| Gowans | Hansen | Hogue | Holdaway |
| E. Hutchings | Jones | King | Last |
| Litvack | Love | McCartney | Moss |
| Peterson | Seitz | Styler | Thompson |
| Urquhart | Webb | | |

Voting in the negative were: Representatives

| | | | |
|---------|---------|-------------|----------|
| Aagard | Adams | Bennion | Bigelow |
| Buttars | Buxtun | Christensen | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |

| | | | |
|----------|----------|-------------|-------------|
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hendrickson | Hughes |
| Kiser | Lawrence | Lockhart | Mascaro |
| McGee | Morgan | Morley | Murray |
| Newbold | Pace | Philpot | Shurtliff |
| G. Snow | Ure | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|------------|
| Alexander | Biskupski | Bryson | B. Johnson |
| Noel | | | |

Sub. H.B. 50, as amended, was filed.

* * *

H.B. 215, UNIFORM BUILDING STANDARDS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to delete **H.B. 215** in title and body and insert **Sub. H.B. 215** in lieu thereof.

Sub. H.B. 215 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Agard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Bourdeaux | Bowman | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|------------|--------|
| Alexander | S. Allen | Biskupski | Bryson |
| S. Clark | D. Cox | B. Johnson | Noel |
| Philpot | | | |

Sub. H.B. 215 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 66, STATE SPENDING LIMITATIONS, read the third time by short title and placed on its final passage.

Sub. H.B. 66, as amended, then passed on the following roll call:

Yeas, 51; Nays, 18; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bowman | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morley | Murray | Newbold |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|----------|---------|
| Anderson | Bourdeaux | Buffmire | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | King | Litvack |
| McCartney | McGee | Morgan | Moss |
| Pace | Shurtliff | | |

Absent or not voting were: Representatives

| | | | |
|------------|--------|---------|--------|
| Biskupski | Bryson | Dillree | Ferrin |
| B. Johnson | Noel | | |

Sub. H.B. 66, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 11, 2004, at 10:00 a.m.

TWENTY-FOURTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representatives Jackie Biskupski and Mike Thompson, excused.

Prayer by Corporal Mike Baker. Pledge of Allegiance by Corporal Bryan West. Both men are from Charlie Company 4th Light Armored Reconnaissance of the United States Marines and are guests of Representative Gregory H. Hughes.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2004

The Senate passed **S.B. 143**, CRIMINAL OFFENSE ATTEMPT AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 134**, GOVERNOR'S COMMISSION FOR WOMEN AND FAMILIES, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 143** and **Sub. S.B. 134**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 10, 2004

The President of the Senate has signed **H.B. 32**, LIEN AMENDMENTS, by Representative M. Morley, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 32** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 10, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators Hillyard, Waddoups, and Mayne to meet with a like committee from the House of Representatives to consider or amend **S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS**, by Senator L. Hillyard.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: February 10, 2004

The Joint Conference Committee comprised of Senators Hillyard, Waddoups, and Mayne, and Representative Dillree, Harper, and Hendrickson, recommends **S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS**, by Senator L. Hillyard, with the following amendments:

- 1. Page 4, Line 96c (lilac copy):
After “NOTE,” delete “OR AN ALTERNATE FISCAL NOTE”

Senator Lyle Hillyard
Senate Chair
Representative Marda Dillree
House Chair

Report filed. On motion of Representative Dillree, the House voted to adopt the Joint Conference Committee Report.

S.J.R. 4 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dillree | Donnelson | Dougall | Dunnigan |

| | | | |
|--------------|------------|-------------|------------|
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|-----------|----------|
| Biskupski | Dee | Duckworth | Kiser |
| McGee | Morgan | Morley | Thompson |

S.J.R. 4 transmitted to the Senate.

INTRODUCTION OF BILL

H.B. 351, Gaps Analysis of Current Approaches to Covering the Uninsured and Underinsured Task Force (S. Mascaro), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 222, ROBBERY AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to lift **H.B. 222** from the Consent Calendar and placed at the top of the Third Reading Calendar.

* * *

H.B. 237, DEPARTMENT OF CORRECTIONS – THERAPY PROVIDER QUALIFICATIONS, read the third time by short title and placed on its final passage.

Representative Bourdeaux declared a conflict of interest because his company does some work with the Department of Corrections.

H.B. 237 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|-------|
| Biskupski | D. Clark | Ferrin | Frank |
| Kiser | Thompson | | |

H.B. 237 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

3rd Sub. S.B. 68, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, was before the House.

3rd Sub. S.B. 68, as amended, then passed on the following roll call:

Yeas, 57; Nays, 13; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |

| | | | |
|-------------|----------|---------|--------------|
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lawrence |
| Lockhart | Love | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|----------|---------|
| Becker | Bourdeaux | Buffmire | Daniels |
| Goodfellow | Jones | King | Litvack |
| Mascaro | McCartney | McGee | Moss |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|----------|
| Biskupski | Ferrin | Harper | Thompson |
| Ure | | | |

3rd Sub. S.B. 68, as amended, returned to the Senate for further consideration.

* * *

On motion of Representative Bowman, the House voted to uncircle **S.B. 10**.

S.B. 10, AMENDMENTS TO LOCAL REFERENDUM PROCESS, was before the House on its final passage.

S.B. 10, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |

| | | | |
|-----------|--------------|-------------|-----------|
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----|---------|----------|
| Biskupski | Dee | Philpot | Thompson |
|-----------|-----|---------|----------|

S.B. 10, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 42, UTAH EXEMPTION CODE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 42 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-----------|----------|
| Biskupski | Litvack | McCartney | Thompson |
|-----------|---------|-----------|----------|

S.B. 42 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 30, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 30**.

* * *

S.B. 32, USE OF ASTHMA MEDICATION BY PUPILS IN SCHOOL, read the third time by short title and placed on its final passage.

S.B. 32 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|---------|
| Biskupski | Dee | Ferrin | Philpot |
| Thompson | Urquhart | | |

S.B. 32 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 83, UNINSURED EMPLOYERS' FUND AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 83 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----|--------|
| Biskupski | Bowman | Dee | Ferrin |
| Thompson | Urquhart | | |

S.B. 83 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 96, UTAH OCCUPATIONAL SAFETY AND HEALTH ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 96 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|---------|----------|
| Biskupski | Bowman | Daniels | Dee |
| Ferrin | Morley | Moss | Thompson |
| Urquhart | | | |

S.B. 96 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **S.B. 23**.

S.B. 23, AMENDMENTS TO MUNICIPAL GOVERNMENT, was before the House on its final passage.

On motion of Representative Ure, the House voted to delete **S.B. 23** in title and body and insert **Sub. S.B. 23** in lieu thereof.

Sub. S.B. 23 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Barrus | Biskupski | D. Clark | Dillree |
| Ferrin | Hendrickson | McCartney | Thompson |
| Urquhart | | | |

Sub. S.B. 23 returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 12, TRANSPORTATION OF CHILDREN FOR PARENT-TIME, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 12**.

* * *

Sub. S.B. 24, MARRIAGE RECOGNITION POLICY, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. S.B. 24**.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **S.B. 30**.

S.B. 30, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 2, Line 40:
Delete line 40
2. Page 5, Lines 150 – 151:
Delete lines 150 – 151
3. Page 6, Lines 152 – 174:
Delete lines 152–174, and renumber remaining sections in bill accordingly

Representative Lockhart's motion to amend passed on a voice vote.

S.B. 30, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|-------------|-----------|
| Biskupski | Christensen | Dee | Dillree |
| Ferrin | Frank | Hendrickson | McCartney |
| Thompson | Urquhart | | |

S.B. 30, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.C.R. 1, CONCURRENT RESOLUTION APPROVING SOLID WASTE PERMIT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.C.R. 1**.

* * *

S.B. 4, REPEAL OF COST-SAVINGS SUGGESTIONS PILOT PROGRAM, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 4**.

* * *

S.B. 115, SPECIAL ELECTION DATES, read the third time by short title and placed on its final passage.

Representative Hogue proposed the following amendment:

- 1. Page 5, Line 145 through Page 6, Line 153

145 (c) (i) Notwithstanding the requirements of Subsection (1)(b), the legislative body of a

146 local political subdivision may call a local special election on a date other than those specified

147 in this section if :

(A) the legislative body:

148 ~~[(A)]~~ (I) determines and declares that there is ~~[an emergency]~~ a disaster, as defined in

149 Section 63-5-2, requiring that a special election be held on a date other than the ones

150 authorized in statute;

151 ~~[(B)]~~ (II) identifies specifically the nature of the ~~[emergency]~~ disaster, as defined in Section

152 63-5-2, and the reasons for holding the special election on that other date; and

153 ~~[(C)]~~ (III) votes unanimously to hold the special election on that other date~~[-]~~ ; or

(B) (I) the local special election is for a referendum; and

(II) the subject of the referendum is a land use law as defined in Section 20A-7-601.

2. Page 1, Line 17
Senate 2nd Reading Amendments
1-30-2004

17 ~~[[§ {None} THIS BILL TAKES EFFECT ON NOVEMBER 1, 2004. §]]~~ This bill provides an immediate effective date.

3. Page 7, Lines 194a through 194b
Senate 2nd Reading Amendments
1-30-2004:

194a § SECTION 8. EFFECTIVE DATE.

194b ~~[[THIS BILL TAKES EFFECT ON NOVEMBER 1, 2004.]]~~ § If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Representative Alexander proposed the following substitute motion to amend:

1. Page 2, Line 11:
Delete "either"
2. Page 1, Line 12:
Delete "or the fourth Tuesday in June"
3. Page 5, Line 139:
Delete line 139.

Representative Alexander's motion to amend failed on the following roll call:

Yeas, 24; Nays, 42; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|---------|-----------|--------|---------|
| Adams | Alexander | Barrus | Bennion |
| Bigelow | Bryson | Bush | Buttars |

| | | | |
|-----------|-------------|----------|--------|
| Buxton | Christensen | S. Clark | Dayton |
| Donnelson | Ferrin | Frank | Harper |
| Hughes | Kiser | Lockhart | Morley |
| Philpot | Ure | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|--------------|-------------|------------|----------|
| Aagard | S. Allen | Anderson | Becker |
| Bird | Bourdeaux | Bowman | Buffmire |
| D. Clark | D. Cox | Daniels | Dillree |
| Duckworth | Ferry | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | King | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|-------|----------|
| Biskupski | Curtis | Dee | Dougall |
| Dunnigan | Hardy | Jones | Thompson |
| Urquhart | | | |

Representative Hogue's motion to amend was divided and amendment 1 failed on the following roll call and amendments 2 and 3 failed on a voice vote:

Yeas, 26; Nays, 40; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|---------|
| Aagard | S. Allen | Barrus | Becker |
| Bird | Bowman | Buxton | D. Cox |
| Daniels | Dillree | Duckworth | Hogue |
| Holdaway | King | Lawrence | Litvack |
| Mascaro | McCartney | McGee | Morgan |
| Pace | Seitz | Shurtliff | Styler |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|---------|-------------|-----------|------------|
| Adams | Alexander | Anderson | Bennion |
| Bigelow | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Goodfellow |

| | | | |
|---------|--------------|------------|-------------|
| Gowans | Hansen | Harper | Hendrickson |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Peterson |
| Philpot | G. Snow | Ure | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|------|----------|
| Biskupski | Bourdeaux | Dee | Dunnigan |
| Hardy | Jones | Moss | Thompson |
| Urquhart | | | |

S.B. 115, as amended, then passed on the following roll call:

Yeas, 47; Nays, 21; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|--------------|------------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Dayton | Dillree | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Harper |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morley |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|------------|---------|-----------|-------------|
| S. Allen | Becker | Bird | Bourdeaux |
| Buffmire | D. Cox | Daniels | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Hogue | Litvack | McCartney | McGee |
| Morgan | Moss | Murray | Shurtliff |
| Styler | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|-------|
| Biskupski | Dee | Dunnigan | Hardy |
| Jones | Thompson | Urquhart | |

S.B. 115, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Dillree, the House voted to uncircle **S.B. 108**.

S.B. 108, REVISOR'S STATUTE, was before the House on its final passage.

S.B. 108 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Noel | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|---------|---------|
| Biskupski | Dayton | Dee | Dougall |
| Hardy | Jones | Newbold | Pace |
| Thompson | Urquhart | | |

S.B. 108 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative D. Clark, the House voted to uncircle **S.B. 4**.

S.B. 4, REPEAL OF COST-SAVINGS SUGGESTIONS PILOT PROGRAM, was before the House on its final passage.

S.B. 4 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|----------|---------|
| Biskupski | Bourdeaux | Dee | Dougall |
| Hardy | Jones | Lawrence | Newbold |
| Thompson | Urquhart | | |

S.B. 4 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

RULES COMMITTEE REPORT

Mr. Speaker: February 11, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 136 Electronic Filing of Preliminary Lien Documents
(Rep. M. Morley)

H.B. 357 Continuing Education for Real Estate Professionals
(Rep. J. S. Adams)

GOVERNMENT OPERATIONS

1st Sub. S.B. 134 Governor's Commission for Women and Families
(Sen. C. Walker)

HEALTH AND HUMAN SERVICES

H.B. 61 Child Welfare Investigations (Rep. M. Thompson)

JUDICIARY

H.J.R. 25 Joint Resolution on Marriage (Rep. L. Christensen)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 135 Notification of School District of Violent Offense by a
Student (Rep. M. S. Lawrence)

S.B. 143 Criminal Offense Attempt Amendments
(Sen. D. Gladwell)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 146 County Cooperative Agreements with State for Fire
Protection (Rep. C. Buttars)

H.B. 349 Department of Agriculture and Food Audit Requirements
(Rep. C. Buttars)

1st Sub. S.B. 138 Fishing and Hunting License Amendments
(Sen. D. Gladwell)

POLITICAL SUBDIVISIONS

H.B. 137 Campaign Finance Disclosure in Municipal Elections
(Rep. J. Dougall)

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 167 Public Service Commission – Regulation of Cable
Companies (Rep. D. Hogue)

REVENUE AND TAXATION

H.B. 273 Tax and Charge Amendments (Rep. W. Harper)

TRANSPORTATION

H.B. 286 State Railroad Museum License Plates (Rep. J. Murray)

TWENTY-FIFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 8:00 a.m.

Roll call showed all members present except Representative Jackie Biskupski, excused.

Pledge of Allegiance and prayer by Gordan Vaughn, a guest of Representative Glenn Donnelson.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 11, 2004

The Senate passed, as substituted, **1st Sub. S.B. 128**, LONG-TERM CARE FACILITIES AMENDMENTS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 131**, UNIFORM PRINCIPAL AND INCOME ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 144**, CORPORATIONS SOLE AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 47**, UNIFORM TRUST CODE, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 63**, WITNESS TAMPERING AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed **S.B. 124**, PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 133**, BULK DELIVERY OF MOTOR FUEL, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 147**, CONDOMINIUM AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 45**, UNIFORM PARENTAGE ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 150**, JUDICIAL CONFIRMATION PROCESS AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 128, S.B. 131, S.B. 144, Sub. S.B. 47, S.B. 63, S.B. 124, S.B. 133, S.B. 147, 2nd Sub. S.B. 45, and S.B. 150**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 11, 2004

The Transportation Committee reports a favorable recommendation on **1st Sub. S.B. 20**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

Sub. S.B. 20, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 10, 2004

The Education Committee recommends **H.J.R. 12**, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION, by Representative G. Curtis, be replaced and favorably recommends **1st Sub. H.J.R. 12**, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION; and

The Education Committee reports a favorable recommendation on **H.B. 320**, TRANSFERABILITY OF CREDITS AMONG HIGHER EDUCATION INSTITUTIONS, by Representative B. Johnson, et al, with the following amendments:

1. Page 1, Lines 29 through 30:

- 29 • maintain a common numbering system for general education and ~~[[premajor]]~~
- 30 ~~[[program requirements]]~~ certain lower division courses ; and
2. Page 1, Line 32 through Page 2, Line 33:
- 32 ► requires institutions of higher education to accept commonly numbered courses for
- 33 ~~[[general education and]][[premajor]]~~ program requirements; and
3. Page 2, Lines 60 through 61:
- 60 (b) allows students to transfer courses among institutions of higher education to meet
- 61 requirements for general education and ~~[[premajor requirements within a degree]]~~ lower division courses that transfer to baccalaureate majors;
4. Page 3, Lines 70 through 72:
- 70 (b) All institutions of higher education shall accept the courses described under
- 71 Subsection (3)(a) toward filling specific area requirements for general education or ~~[[other premajor program~~
- 72 requirements]] lower division courses that transfer to baccalaureate majors .
5. Page 3, Lines 75 through 77:
- 75 (b) The commissioner shall appoint committees of faculty members from the
- 76 institutions of higher education to recommend appropriate courses of similar content and
- 77 numbering that will satisfy~~[[premajor]]~~ requirements for ~~[[degrees]]~~ lower division courses that transfer to baccalaureate majors .

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

Sub. H.J.R. 12 and **H.B. 320**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 10, 2004

The Health and Human Services Committee reports a favorable recommendation on **S.B. 135**, CENTER FOR MULTICULTURAL HEALTH, by Senator J. Evans, with the following amendments:

1. Page 2, Lines 39 through 42:

39 (a) promote and coordinate the research, data production and dissemination, education,

40 and health promotion activities of the department, local health departments, local mental health

41 authorities, public schools, community-based organizations, indian tribes, and other organizations within the

42 state as they relate to multicultural and minority health issues; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 85**, HEALTH INSURANCE MANDATE AMENDMENTS, by Representative R. Lockhart, with the following amendments:

1. Page 1, Line 14:

14 • increase the adoption indemnity benefit to \$[[3,155]] 4,000 ; and

2. Page 2, Lines 41 through 42:

41 (c) The [~~commissioner shall:(i) establish, by rule, the~~] amount of the adoption

42 indemnity benefit provided under Subsection (1) [~~at a minimum of \$2,500; and~~] is \$[[3,155]] 4,000; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 70**, HEALTH CARE FACILITY LICENSING EXEMPTION, by Senator J. Hickman; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 244**, AMENDMENTS TO ASSET TESTING FOR MEDICAID, by Representative D. Hogue; and

The Health and Human Services Committee recommends **H.B. 236**, FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER

AMENDMENTS, by Representative D. Litvack, be replaced and reports a favorable recommendation on **1st Sub. H.B. 236**, FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER AMENDMENTS and asks that it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 79**, REPEAL OF CHILD WELFARE WORKER DESIGNATIONS, by Senator D. Eastman, and recommends it be placed on the Consent Calendar.

Mike Thompson, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Health and Human committee were adopted.

S.B. 135, as amended, read the second time by short title and referred to the Rules Committee due to fiscal impact.

H.B. 85, as amended, **S.B. 70**, and **H.B. 244**, read the second time by short title and placed on the calendar for third reading.

Sub. H.B. 236 and **S.B. 79**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 11, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 166**, CONCEALED FIREARM PERMIT AMENDMENTS, by Representative D. Hogue, with the following amendments:

1. Page 2, Lines 30 through 35:
 - 30 (1) (a) The division or its designated agent shall issue a permit to carry a concealed
 - 31 firearm for lawful self defense to an applicant who is 21 years of age or older;
 - 32 (i) within 60 days after receiving an application [~~and~~]; and
 - 33 (ii) upon proof that the [~~person applying~~] applicant is of good character[[~~F~~].[[~~F~~]]~~[[~~and~~~~
 - 34 ~~(iii) after the applicant provides evidence of general familiarity with the type of firearm~~

35 ~~to be concealed pursuant to Subsection (7).~~]]

2. Page 3, Line 80 through Page 4, Line 90:

80 ~~[(6)] (5)~~ Except as provided in Subsection ~~[(7)] (6)~~, the ~~[licensing authority]~~ division

81 shall also require the applicant to provide:

* * * Some lines not shown * * *

86 (e) a five-year employment history; ~~[[and]]~~

87 (f) a five-year residential history~~[[{]]; and[[{]][[z]]~~

88 ~~[[{]](g)~~ evidence of general familiarity with the types of firearms to be concealed as

89 defined in Subsection (8).~~[[{]]~~

3. Page 4, Lines 93 through 105:

93 ~~[(8)] (7)~~ (a) General familiarity with the ~~[[{]]types[[{]]~~ [[type]] of ~~[[{]]firearms[[{]]~~ [[firearm]] to be

94 concealed includes training in:

95 (i) the safe loading, unloading, ~~[[{]]storage,[[{]]~~ [[firing, securing, storing, caring for and

96 ~~maintaining of,]]~~ and carrying of the ~~[[{]]types[[{]]~~ [[type]] of ~~[[{]]firearms[[{]]~~ [[firearm]] to be concealed; and

97 (ii) current ~~[[criminal and civil]]~~ laws defining lawful use of a firearm by a private citizen,

98 including lawful self-defense, ~~[[judgmental shooting,]]~~ use of force by a private citizen including

99 use of deadly force, transportation, and concealment.

100 (b) Evidence of general familiarity with the ~~[[{]]types[[{]]~~ [[type]] of ~~[[{]]firearms[[{]]~~ [[firearm]] to be

101 concealed ~~[may be]~~ is satisfied by one of the following:

* * * Some lines not shown * * *

104 (ii) certification of an applicant's general familiarity with the ~~[[type]]~~ types of firearm to be

105 concealed by a person who has been certified by the division, which may include a law

4. Page 5, Lines 122 through 123:

122 (c) failed to provide the instruction required for a student to obtain general familiarity

123 with a firearm required under ~~[[this section]]~~ Subsection (7)(b)(i) .:
and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 165**, CHILD PROTECTION REGISTRY, by Representative M. Styler; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 121**, CODE OF CRIMINAL PROCEDURE AMENDMENTS, by Representative J. Seitz, with the following amendments:

1. Page 2, Lines 54 through 56:

54 (b) if no plea in abeyance fee is collected. ~~[[the prosecuting authority shall assess and~~

55 collect]]a surcharge on the fee charged for the traffic school or other school, class, or

56 rehabilitative program shall be collected . which surcharge shall:
and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 169**, MAIL THEFT AMENDMENTS, by Representative M. Thompson, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 137**, INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION – APPLICATION FEE, by Senator K. Hale, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 164**, NONRESIDENT TUITION WAIVER FOR NATIONAL GUARD MEMBERS, by Representative B. King, be replaced and reports a favorable recommendation on **1st Sub. H.B. 164**, RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS and asks that it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 166, as amended, **H.B. 165**, and **H.B. 121**, as amended, read the second time by short title and placed on the calendar for third reading.

H.B. 169, **S.B. 137**, and **Sub. H.B. 164**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 10, 2004

The Business and Labor Committee reports a favorable recommendation on **2nd Sub. S.B. 88**, UNIFORM BUILDING STANDARDS ACT – MANUFACTURED HOUSING AMENDMENTS, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 129**, COMMUNITY ASSOCIATIONS, by Senator M. Waddoups, with the following amendments:

1. Page 8, Line 244 through Page 9, Line 247:

244 (1) An encumbrancer holding a lien on a lot may pay any unpaid assessment due with

245 respect to the [[unit]] lot .

246 (2) Upon a payment described in Subsection (1), the encumbrancer has a lien on the

247 [[unit]] lot for the amounts paid.; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 122**, PRIVATE INVESTIGATOR AMENDMENTS, by Representative M. Dayton, with the following amendments:

1. Page 1, Lines 15 through 16:

15 ▶ provides that an apprentice private investigator may not directly obtain protected

16 information from the Utah State Tax Commission Motor Vehicle Division or Driver License Division within the

2. Page 6, Lines 176 through 178:

176 (C) obtain information from the Utah State Tax Commission Motor Vehicle Division or Driver License Division

177 within the Department of Public Safety, except the apprentice may utilize such information for

178 a legitimate business need under the direct supervision of a licensed agency; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 111**, MECHANICS' LIENS AMENDMENTS, by Senator S. Jenkins, and recommends it be placed on the Consent Calendar.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

2nd Sub. S.B. 88, S.B. 129, as amended, **H.B. 122**, as amended, read the second time by short title and placed on the calendar for third reading.

Sub. S.B. 111, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 11, 2004

The Judiciary Committee reports a favorable recommendation on **H.B. 149**, NEW AUTOMOBILE FRANCHISE ACT, by Representative G. Curtis; and

The Judiciary Committee reports a favorable recommendation on **H.B. 170**, OFFICE OF THE ATTORNEY GENERAL RESPONSIBILITIES, by Representative K. Bryson, with the following amendments:

1. Page 1, Lines 11 through 16:
 - 11 Highlighted Provisions:
 - 12 This bill:
 - 13 ► provides that the attorney general is the attorney and the state agency is the client;
 - 14 ► requires that the attorney general must comply with ~~[[certain]]~~ the Rules of Professional ~~[[Responsibility]]~~ Conduct ; and
 - 15 ~~[[Responsibility]]~~ Conduct ; and
 - 16 ► makes technical corrections.
2. Page 2, Lines 45 through 48:
 - 45 (4) (a) In performing legal services for an agency under authority of this section, the

46 attorney general is the attorney and the agency is the client.

47 (b) In its representation of the agency, the attorney general and his legal assistants shall

48 comply with the requirements of Rules of Professional Conduct [[Rule 1.2]]. ; and

The Judiciary Committee reports a favorable recommendation on **S.B. 122**, PAYMENT OF CLAIMS ON DECEASED SETTLOR'S ESTATE, by Senator J. Valentine, and recommends it be placed on the Consent Calendar.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.B. 149 and **H.B. 170**, as amended, read the second time by short title and placed on the calendar for third reading.

S.B. 122, read the second time by short title and placed on the Consent Calendar.

INTRODUCTION OF BILLS

H.B. 350, Consumer Access to Prescription Drug Pricing Data (D. Ure), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 222, ROBBERY AMENDMENTS, was before the House upon its final passage.

H.B. 222 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |

| | | | |
|-----------|-------------|--------------|-------------|
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-----------|----------|
| Alexander | Bennion | Biskupski | Harper |
| Holdaway | Jones | Shurtliff | Thompson |
| Ure | | | |

H.B. 222, transmitted to the Senate for its consideration.

* * *

H.C.R. 3, RESOLUTION URGING PROTECTION OF UNITED STATES FROM WEAPONS OF MASS DESTRUCTION, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.C.R. 3**.

* * *

Sub. H.B. 217, CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 217**.

* * *

H.B. 242, FUNDS CONSOLIDATION ACT – DEPOSIT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 242, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------|--------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |

| | | | |
|------------|-----------|-----------|--------------|
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|-----------|--------|
| Alexander | Bennion | Biskupski | Harper |
| Jones | Shurtliff | Thompson | |

H.B. 242, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 9, RESOLUTION SUPPORTING EFFORTS TO END HOMELESSNESS, read the third time by short title and placed on its final passage.

H.J.R. 9, as amended, then passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |

| | | | |
|----------|---------|----------|-------------|
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|--------|-------|
| Christensen | Dayton | Ferrin | Frank |
| Morley | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|-------|---------|
| Alexander | Biskupski | Jones | Philpot |
| Shurtliff | | | |

H.J.R. 9, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 74, EXTENSION OF SALES AND USE TAX, read the third time by short title and placed on its final passage.

H.B. 74 then passed on the following roll call:

Yeas, 65; Nays, 4; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|--------|---------|---------|-----------|
| Becker | Daniels | Litvack | McCartney |
|--------|---------|---------|-----------|

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|----------|-------|
| Alexander | Biskupski | D. Clark | McGee |
| Philpot | Shurtliff | | |

H.B. 74 transmitted to the Senate for its consideration.

* * *

H.J.R. 11, RESOLUTION URGING A STUDY ON STATEWIDE, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.J.R. 11**.

* * *

H.B. 253, RETIREMENT OFFICE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 253 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

Alexander Biskupski Philpot Shurtliff

H.B. 253 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **Sub. H.B. 217.**

Sub. H.B. 217, CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS, was before the House on its final passage.

Sub. H.B. 217 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

Alexander Biskupski D. Cox Shurtliff

Sub. H.B. 217 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 83, STATE RETIREMENT – FUNDED RATIO, read the third time by short title and placed on its final passage.

H.B. 83 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|--------|
| Alexander | Biskupski | D. Cox | Ferrin |
| Hogue | Shurtliff | | |

H.B. 83 transmitted to the Senate for its consideration.

* * *

H.B. 53, ADDITIONAL STATE RETIREMENT BENEFIT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, **H.B. 53** was circled.

* * *

H.C.R. 4, RESOLUTION ENCOURAGING LIFETIME AND RETIREMENT SAVINGS ACCOUNTS, read the third time by short title and placed on its final passage.

H.C.R. 4 then passed on the following roll call:

Yeas, 63; Nays, 8; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|-----------|---------|
| Becker | Bourdeaux | Buffmire | Daniels |
| Jones | Litvack | McCartney | Moss |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|-----------|
| Alexander | Biskupski | Ferrin | Shurtliff |
|-----------|-----------|--------|-----------|

H.C.R. 4 transmitted to the Senate for its consideration.

* * *

H.R. 5, RESOLUTION URGING CONGRESS TO PASS LIFETIME AND RETIREMENT SAVINGS ACCOUNT LEGISLATION, read the third time by short title and placed on its final passage.

H.R. 5 then passed on the following roll call:

Yeas, 57; Nays, 12; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|----------|--------|
| Aagard | Adams | S. Allen | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |

| | | | |
|-------------|----------|--------------|------------|
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|-------------|
| Becker | Bourdeaux | Buffmire | Daniels |
| Duckworth | Gowans | Hansen | Hendrickson |
| Jones | King | Litvack | McCartney |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|-----------|--------|
| Alexander | Anderson | Biskupski | Ferrin |
| Goodfellow | Shurtliff | | |

H.R. 5 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

H.R. 6, RESOLUTION URGING CONGRESS TO PASS LIFETIME AND RETIREMENT SAVINGS ACCOUNT LEGISLATION, read the third time by short title and placed on its final passage.

H.R. 6 then passed on the following roll call:

Yeas, 56; Nays, 15; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Hardy | Harper | Hogue |

| | | | |
|----------|----------|--------------|-------------|
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morgan |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-----------|-----------|
| Becker | Bourdeaux | Buffmire | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | Litvack | McCartney |
| McGee | Moss | Shurtliff | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|--------|
| Alexander | Biskupski | D. Cox | Ferrin |
|-----------|-----------|--------|--------|

H.R. 6 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

H.B. 106, HEALTH INSURANCE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Line 9:
Delete “conversion policy rating restrictions,”

Representative Dunnigan’s motion to amend passed on a voice vote.

H.B. 106, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |

| | | | |
|--------------|------------|-------------|------------|
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|-----|
| Alexander | Biskupski | Ferrin | Ure |
|-----------|-----------|--------|-----|

H.B. 106, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Shurtliff, the House voted to uncircle **H.J.R. 11**.

H.J.R. 11, RESOLUTION URGING A STUDY ON STATEWIDE UNIFORM FEES IMPOSED ON MOTOR HOMES, was before the House on its final passage.

H.J.R. 11 then passed on the following roll call:

Yeas, 60; Nays, 4; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |

| | | | |
|----------|---------|-----------|-------------|
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------|----------|--------|----------|
| Harper | Lawrence | Styler | Thompson |
|--------|----------|--------|----------|

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|---------|---------|
| Alexander | Biskupski | Buttars | Dillree |
| Ferrin | Hendrickson | Litvack | Morley |
| Moss | Philpot | Ure | |

H.J.R. 11 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 10:00 a.m.

Speaker Pro Tem Dillree called the House to order at 10:10 a.m.

UNFINISHED BUSINESS

On motion of Representative McGee, the House voted to uncircle **H.B. 7**.

H.B. 7, MARRIAGE PREPARATION EDUCATION, was before the House on its final passage.

Representative McGee proposed the following amendment:

1. Page 5, Line 130:
Before "colludes" insert "knowingly"

Representative McGee's motion to amend passed on a voice vote.

H.B. 7, as amended, then passed on the following roll call:

Yeas, 40; Nays, 32; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-----------|--------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bigelow | Bourdeaux | Bowman |
| Buffmire | Buxton | Daniels | Dee |
| Dillree | Duckworth | Dunnigan | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |

| | | | |
|-------------|-----------|---------|--------------|
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Shurtliff | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|----------|-------------|
| Adams | Alexander | Bennion | Bird |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Donnelson | Dougall | Ferrin |
| Frank | Harper | Hogue | Last |
| Lockhart | Morley | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Webb |

Absent or not voting were: Representatives

| | | |
|-----------|------------|-----|
| Biskupski | B. Johnson | Ure |
|-----------|------------|-----|

H.B. 7, as amended, transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

H.B. 246, PROHIBITION OF CROSS BURNING ON PROPERTY, read the third time by short title and placed on its final passage.

Representative Philpot proposed the following amendment:

1. Page 2, Line 32:
Delete line 32.
2. Page 2, Line 33:
“with the intent of intimidating”
3. Page 2, Line 34:
Delete “any person or group of persons.”

Representative Philpot’s motion to amend failed on a voice vote.

###

Representative Ferrin proposed the following amendment:

1. Page 2, Line 35:
After “cross” insert “or American flag”

Representative Ferrin’s motion to amend passed on a voice vote.

H.B. 246, as amended, then failed to pass on the following roll call:

Yeas, 22; Nays, 51; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|---------|-----------|-------------|------------|
| Becker | Bourdeaux | Bowman | Buffmire |
| Daniels | Duckworth | Ferrin | Goodfellow |
| Gowans | Hansen | Hendrickson | Jones |
| King | Litvack | McCartney | McGee |
| Morgan | Moss | Murray | Shurtliff |
| Styler | Wallace | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Hardy | Harper | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morley | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Thompson | Ure |
| Urquhart | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | |
|-----------|----------|
| Biskupski | S. Clark |
|-----------|----------|

H.B. 246, as amended, was filed.

THIRD READING CALENDAR

2nd Sub. H.B. 207, HEALTH INSURANCE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **2nd Sub. H.B. 207**.

* * *

H.B. 218, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION, read the third time by short title and placed on its final passage.

On motion of Representative Peterson, the House voted to circle **H.B. 218**.

* * *

Sub. H.B. 92, BRUCellosis VACCINATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Johnson proposed the following amendment:

1. Page 2, Line 26:
After "All female" insert "beef-breed"

Representative Johnson's motion to amend passed on a voice vote.

Sub. H.B. 92, as amended, then passed on the following roll call:

Yeas, 64; Nays, 2; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bourdeaux | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

Bennion Ure

Absent or not voting were: Representatives

| | | | |
|-------------|--------|----------|---------|
| Biskupski | Bowman | Daniels | Dillree |
| Hendrickson | Hogue | Lockhart | Noel |
| Philpot | | | |

Sub. H.B. 92, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 235, TURKEY HUNTING PERMITS, read the third time by short title and placed on its final passage.

H.B. 235 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|-------------|
| Biskupski | Daniels | Gowans | Hendrickson |
| Hogue | Noel | | |

H.B. 235 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bennion, the House voted to uncircle **H.B. 218**.

H.B. 218, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION, was before the House on its final passage.

H.B. 218, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-------------|--------|
| Biskupski | S. Clark | Hendrickson | Styler |
|-----------|----------|-------------|--------|

H.B. 218, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.B. 71, WATER CONSERVATION PLANS, read the third time by short title and placed on its final passage.

Sub. H.B. 71, as amended, then passed on the following roll call:

Yeas, 62; Nays, 6; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | D. Cox | Curtis | Daniels |

| | | | |
|----------|--------------|-------------|-----------|
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Shurtliff |
| G. Snow | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|--------|--------|
| Christensen | Frank | Hughes | Morley |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|----------|------------|
| Bennion | Biskupski | S. Clark | B. Johnson |
| Lockhart | Seitz | Styler | |

Sub. H.B. 71, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 12, 2004

The Rules Committee recommends that **H.B. 108**, Insurance and Retirement for Charter School Employees (Rep. M. Newbold), be lifted from the Education Standing Committee and reassigned to the Retirement and Independent Entities Standing Committee; and

Mr. Speaker: February 12, 2004 (10:04 a.m.)

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- S.B. 144** Corporations Sole Amendments (Sen. L. Hillyard)
- S.B. 147** Condominium Amendments (Sen. M. Waddoups)

EDUCATION

- H.B. 115** Carson Smith Special Needs Scholarships (Rep. J. M. Philpot)
- H.B. 152** Charter School Governance (Rep. M. Dillree)

GOVERNMENT OPERATIONS

H.B. 293 Repeal of National Guard Efficiency Boards
(Rep. J. Ferrin)

HEALTH AND HUMAN SERVICES

H.B. 267 Utah Pharmaceutical Insurance Program (Rep. D. Hogue)

JUDICIARY

H.B. 294 Purchase of Firearms Amendments (Rep. J. Ferrin)

H.B. 295 Issuance of Concealed Firearm Permits Amendments
(Rep. J. Ferrin)

2nd Sub. S.B. 45 Uniform Parentage Act (Sen. L. Hillyard)

1st Sub. S.B. 47 Uniform Trust Code (Sen. L. Hillyard)

S.B. 131 Uniform Principal and Income Act (Sen. L. Hillyard)

S.B. 150 Judicial Confirmation Process Amendments
(Sen. D. C. Buttars)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

S.B. 63 Witness Tampering Amendments (Sen. D. C. Buttars)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 283 Department of Agriculture and Food Amendments
(Rep. D. Ure)

H.C.R. 13 Western Legends Roundup Resolution (Rep. M. Noel)

POLITICAL SUBDIVISIONS

H.B. 274 Municipal Weed Abatement (Rep. M. Morley)

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 323 Spyware Regulation (Rep. S. Urquhart)

H.B. 341 Children's Internet Protection Act (Rep. M. Noel)

REVENUE AND TAXATION

H.B. 306 Property Tax Relief (Rep. L. Christensen)

H.J.R. 26 Resolution Providing Property Tax Exemption
(Rep. J. Ferrin)

S.B. 124 Prohibition on Sales and Use Tax Incentive Payments by
a Municipality (Sen. S. Killpack)

1st Sub. S.B. 128 Long-term Care Facilities Amendments
(Sen. L. Blackham)

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 13, 2004, at 10:00 a.m.

TWENTY-SIXTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Jackie Biskupski, excused.

Pledge of Allegiance and prayer by Representative Marda Dillree.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 12, 2004

The Senate passed, as amended, **S.B. 125**, CONFIDENTIALITY OF DRUG TESTING, by Senator P. Julander, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 140**, HUMAN SERVICES LICENSING AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **4th Sub. S.B. 90**, MEDICAL NEGLECT – EXCLUSION, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 106**, DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 139**, INDIVIDUAL INCOME TAX – NONRESIDENT INCOME AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 160**, CONTROLLED SUBSTANCES ACT AMENDMENTS, by Senator P. Julander, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 125**, **2nd Sub. S.B. 140**, **4th Sub. S.B. 90**, **Sub. S.B. 106**, **S.B. 139**, and **S.B. 160**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 12, 2004

The Senate passed, **H.B. 9**, ABSENTEE BALLOT AMENDMENTS, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 41**, HEALTH INSURANCE COVERAGE FOR DEPENDENTS, by Representative J. Buffmire, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 48**, COLLECTION OF INFORMATION BY DEPARTMENT OF HEALTH, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 57**, AMENDMENTS TO BUDGETARY PROCEDURES ACT, by Representative J. Seitz, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 203**, SPECIAL GROUP LICENSE PLATE, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 14**, REPEAL OF EDUCATION MANDATES, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 25**, GOVERNMENTAL INTERNET INFORMATION PRIVACY ACT, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 189**, TOBACCO COMPLIANCE AMENDMENTS, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 9**, **H.B. 41**, **H.B. 48**, **H.B. 57**, **H.B. 203**, **H.B. 14**, **H.B. 25**, and **H.B. 189** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 12, 2004

The Senate adopted the Joint Conference Committee Report dated February 12, 2004 and passed **S.J.R. 4**, JOINT RULES RESOLUTION – FISCAL NOTE

PROCESS AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 4** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 12, 2004

The Senate passed, as amended, **H.B. 35, REQUIREMENTS OF TRUSTEES OF TRUST DEEDS**, by Representative D. Clark, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 40, FILLING MIDTERM VACANCIES IN THE LEGISLATURE**, by Representative C. Frank, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 35** and **Senate Sub. H.B. 40** were placed on the Concurrence Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 11, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 46, SUNSET DATE EXTENSION OF DIVISION OF OIL, GAS AND MINING**, by Senator M. Dmitrich, and recommends it be placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **2nd Sub. S.B. 19, SALES AND USE TAXES – EXEMPTION FOR ENERGY RELATED EQUIPMENT AND MACHINERY**, by Senator L. Blackham, et al, with the following amendments:

1. Senate Goldenrod (2–3–2204)
Page 43, Line 1309:
Reinstate “2004” and delete “2006”
2. Page 43, Line 1316:
Reinstate “2004” and delete “2006”

3. Page 43, Line 1317:
Reinstate "2004"
4. Page 43, Line 1317a:
Delete "2006"; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.J.R. 20**, RESOLUTION REGARDING RADIATION EXPOSURE COMPENSATION ACT, by Representative D. Peterson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 131**, EMINENT DOMAIN AMENDMENTS, by Representative B. Ferry; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 76**, REVISIONS TO ROYALTY ON BRINE SHRIMP, by Senator T. Hatch; and

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

S.B. 46, read the second time by short title and placed on the Consent Calendar.

2nd Sub. S.B. 19, as amended, **H.J.R. 20**, **H.B. 131**, and **Sub. S.B. 76**, read the second time by short title and placed on the calendar for third reading.

CONSENT CALENDAR

H.B. 161, LAW ENFORCEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 161 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |

| | | | |
|-----------|-------------|--------------|------------|
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|-----------|--------|
| Bennion | Biskupski | Bourdeaux | Ferrin |
| Goodfellow | | | |

H.B. 161 transmitted to the Senate for its consideration.

* * *

H.C.R. 1, RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL, read the third time by short title and placed on its final passage.

Representative Becker declared a conflict of interest because of a work project.

H.C.R. 1, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bowman | Bryson | Buffmire |
| Bush | Buttars | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |

| | | | |
|-----------|----------|----------|-------------|
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|-----------|--------|
| Bennion | Biskupski | Bourdeaux | Buxton |
| Ferrin | Mascaro | Philpot | |

H.C.R. 1, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 255, WILDLIFE RESTITUTION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 255 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bowman | Bryson | Buffmire |
| Bush | Buttars | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

Bennion Biskupski Bourdeaux Buxton
Ferrin

H.B. 255 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **2nd Sub. H.B. 207**.

2nd Sub. H.B. 207, HEALTH INSURANCE AMENDMENTS, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

- 1. Page 14, Line 406

406 (v) was terminated for gross misconduct: [[~~or~~]]

(vi) has not been continuously covered under a group policy for a period of 6 months immediately prior to the termination of the policy due to the events set forth in Subsection (1); or

Representative Lockhart’s motion to amend passed on a voice vote.

2nd Sub. H.B. 207, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |

| | | | |
|----------|-------------|----------|----------|
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|--------|--------------|
| Bennion | Biskupski | Ferrin | E. Hutchings |
| Philpot | | | |

2nd Sub. H.B. 207, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 103, SPECIAL DISTRICT FOR POLICE SERVICES, read the third time by short title and placed on its final passage.

Representative McCartney proposed the following amendment:

1. Page 1, Lines 13 through 22

13 This bill:

* * * *Some lines not shown* * * *

21 ► ~~[[requires the county sheriff to perform for the county service area the functions and~~

22 ~~duties that the sheriff performs for the county]]~~ authorizes the board to appoint the district's chief law enforcement officer ;

2. Page 10, Line 304 through Page 11, Line 312:

304 (b) (i) The county whose unincorporated area is partially or fully included within the

305 county service area shall appoint [[two members]] to the board of trustees ;

(A) if the county has a population that does not exceed 50,000, one member who shall be:

(I) in a county operating under the county executive-council form of government under Section 17-52-504, the county executive; or

(II) in any other county, a member of the county commission or council;

(B) if the county has a population over 50,000 but not over 100,000, two members who shall be:

(I) in a county operating under the county executive–council form of government under Section 17–52–504, the county executive and a member of the county council; or

(II) in any other county, two members of the county commission or council;

(C) if the county has a population over 100,000 but not over 150,000, three members who shall be:

(I) in a county operating under the county executive–council form of government under Section 17–52–504, the county executive and two members of the county council; or

(II) in any other county, three members of the county commission or council; and

(D) if the county has a population over 150,000, four members who shall be:

(I) in a county operating under the county executive–council form of government under Section 17–52–504, the county executive and three members of the county council;

(II) in a county operating under a county commission form of government under Section 17–52–501 or a council–manager form of government under Section 17–52–505 with a three–member council, the three commission or council members, as the case may be, and another elected county official chosen by the commission or council; or

(III) in any other county, four members of the county commission or council. .

306 (ii) Each municipality whose area is included within the county service area, whether

307 in conjunction with the creation of the county service area or by later annexation, shall appoint

308 to the board of trustees:

309 (A) one member, if the municipality has a population that does not exceed 50,000, who shall be the mayor ;

310 (B) two members, if the municipality has a population over 50,000 but [[no more than]] not over

311 100,000, who shall be the mayor and a member of the municipal council ; [[and]]

312 (C) three members, if the municipality has a population over 100,000 but not over 150,000, who shall be the mayor and two members of the municipal council; and

(D) four members, if the municipality has a population over 150,000, who shall be the mayor and three members of the municipal council .

3. Page 11, Lines 317 through 320:

317 ~~(e) The [[sheriff of the county whose unincorporated area is included within the county~~

318 ~~service area shall be]]~~ board of trustees shall appoint an individual to serve as the chief law enforcement officer of the county service area ~~[[and shall~~

319 ~~perform for the county service area all functions and duties that the sheriff is authorized and~~

320 ~~required to perform for the county]]~~ to oversee all law enforcement activities within the county service area .

Representative McCartney’s motion to amend passed on a voice vote.

###

Representative Ure proposed the following amendment:

1. Page1, Line 51:

After line 51 insert:

“Uncodified material affected:
ENACTS UNCODIFIED MATERIAL”

2. Page 27, Line 813:

After line 813 insert:

“Section 10. Limit on effect of bill.

Nothing in this bill may be construed to impair or affect any ability that counties and municipalities have under under Title 11, Chapter 13, Interlocal Cooperation Act, to enter independently into interlocal agreements to provide extended police protection service.”

Representative Ure’s motion to amend passed on a voice vote.

H.B. 103, as amended, then failed to pass on the following roll call:

Yeas, 23; Nays, 44; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|--------|---------|
| Alexander | Anderson | Becker | Bowman |
| Bryson | Buffmire | Curtis | Daniels |

| | | | |
|-------------|------------|----------|---------|
| Dee | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Shurtliff | Urquhart | |

Voting in the negative were: Representatives

| | | | |
|----------|--------------|-------------|-----------|
| Aagard | Adams | S. Allen | Barrus |
| Bennion | Bigelow | Bird | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Dayton | Donnelson |
| Dougall | Dunnigan | Ferry | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | Kiser | Last |
| Lawrence | Lockhart | Love | Morley |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|---------|-------------|
| Biskupski | Bourdeaux | Dillree | Duckworth |
| Ferrin | B. Johnson | King | M. Stephens |

H.B. 103, as amended, was filed.

* * *

H.B. 96, STATUTE OF REPOSE, read the third time by short title and placed on its final passage.

Representative Adams proposed the following amendment:

1. Page 1, Line 8:
Refer to committee amendments dated 2–3–2004:
Delete “eight” and insert “nine”
2. Page 1, Line 12:
Refer to committee amendments dated 2–3–2004:
Delete “eight” and insert “nine”
3. Page 2, Line 52:
Delete “ten” and insert “seven”
4. Page 3, Line 68:
Refer to committee amendments dated 2–3–2004:
Delete “eight” and insert “nine”

5. Page 3, Line 70:
Delete "seventh or" and after "eight" insert "or ninth"
6. Page 3, Line 70:
Refer to committee amendments dated 2–3–2004:
Delete "eight" and insert "nine"

Representative Adams' motion to amend passed on a voice vote.

H.B. 96, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------|------|
| Biskupski | Ferrin | King | Love |
| McCartney | | | |

H.B. 96, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bennion, the House voted to uncircle **H.C.R. 3**.

H.C.R. 3, RESOLUTION URGING PROTECTION OF UNITED STATES FROM WEAPONS OF MASS DESTRUCTION, was before the House on its final passage.

H.C.R. 3 then passed on the following roll call:

Yeas, 51; Nays, 14; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Murray |
| Newbold | Noel | Pace | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-----------|----------|
| Anderson | Becker | Bourdeaux | Buffmire |
| Daniels | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | Litvack | McGee |
| Moss | Philpot | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|---------|----------|
| Biskupski | Christensen | Dillree | King |
| McCartney | Morgan | Morley | Peterson |
| Shurtliff | Styler | | |

H.C.R. 3 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.B. 42, INTEREST RATES ON JUDGMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 42 then passed on the following roll call:

Yeas, 58; Nays, 12; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bigelow | Bird |

| | | | |
|------------|-------------|-----------|--------------|
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Mascaro |
| Morgan | Morley | Murray | Newbold |
| Noel | Pace | Philpot | Seitz |
| G. Snow | Styler | Ure | Urquhart |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|----------|---------|
| Becker | Bennion | Buffmire | Daniels |
| Hansen | McCartney | McGee | Moss |
| Peterson | Shurtliff | Thompson | Wallace |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|---------|
| Biskupski | Bourdeaux | D. Cox | Litvack |
| Love | | | |

Sub. H.B. 42 transmitted to the Senate for its consideration.

* * *

H.B. 234, SUNSET EXTENSION ON UNAUTHORIZED, read the third time by short title and placed on its final passage.

H.B. 234 then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bennion | Bigelow | Bird |
| Bourdeaux | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |

| | | | |
|--------------|------------|----------|-----------|
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

Morley Philpot

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-----------|--------|
| Alexander | Barrus | Biskupski | Bowman |
| D. Cox | Daniels | Ferrin | Ure |

H.B. 234 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 111, MUNICIPAL GOVERNMENT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Adams proposed the following amendment:

1. Page 1, Lines 10 through 21

10 This bill:

* * * *Some lines not shown* * * *

19 ▶ narrows the application of moderate income housing plan requirements to cities[[~~of~~

20 ~~the first, second, and third class]]; [[and]]~~

 ▶ modifies the definition of moderate income housing for purposes of moderate income housing plan provisions;

 ▶ changes a requirement to update a moderate income housing plan from annual to biennial; and

21 ▶ makes technical changes.

2. Page 12, Lines 339 through 341

House Committee Amendments
2-4-2004:

339 (a) “Moderate income housing” means housing occupied or reserved for occupancy by

340 households with a gross household income equal to or less than 80% of the median gross

341 income ~~[[of the metropolitan statistical area]]~~ for households of the same size in the county within which the city is located .

3. Page 12, Lines 353 through 355

House Committee Amendments

2-4-2004:

353 (3) ~~[Before December 31, 1998, each municipal]~~ The legislative body of each city ~~[[of~~

354 ~~the first, second, \hat{H} [or] \hat{H} third \hat{H} , OR FOURTH \hat{H} class]]~~ shall, as part of its general plan, adopt a

354a plan for moderate

355 income housing within that municipality.

4. Page 13, Lines 373 through 375

House Committee Amendments

2-4-2004:

373 (5) (a) After adoption of a plan for moderate income housing under Subsection (3), the

374 legislative body of each city ~~[that is located within a county of the first or second class and of~~

375 ~~each other city]]~~ ~~[[of the first, second, \hat{H} [or] \hat{H} third \hat{H} {], or fourth [}] \hat{H} class]]~~ shall ~~[[annually]]~~ biennially :

5. Page 13, Lines 387 through 390

House Committee Amendments

2-4-2004:

387 (c) The legislative body of each city ~~[that is located within a county of the first or~~

388 ~~second class and of each other city]~~ ~~[[of the first, second, \hat{H} [or] \hat{H} third \hat{H} {], or fourth [}] \hat{H} class]]~~

388a shall send a

389 copy of the report under Subsection (5)(a)(ii) to the Department of Community and Economic

390 Development and the association of governments in which the municipality is located.

(6) In a civil action seeking enforcement or claiming a violation of this section, a plaintiff may not recover damages but may be awarded injunctive or other equitable relief only.

Representative Dougall proposed the following substitute motion to amend: Include Representative Adams motion to amend without #2.

- 1. Page 12, Lines 339 through 341
House Committee Amendments
2-4-2004

339 (a) “Moderate income housing” means housing [~~occupied or reserved for occupancy by~~

340 households with a gross household income equal to or less than 80% of the median gross

341 income of the metropolitan statistical area for households of the same size]] that is priced so that a household that earns a gross income between 80 and 100 percent of the median gross income for households of similar size and demographics within the county in which the municipality is located pays between 30 and 50 percent of its gross income for housing costs

- 2. Page 12, Line 347:

Delete “annually” and insert “biannually”

Representative Dougall’s substitute motion to amend passed on a voice vote.

Sub. H.B. 111, as amended, then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |

The Senate concurred in the House amendments and passed **S.B. 30**, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 68**, PROHIBITION OF PUBLIC FUNDING FOR ABORTION, by Senator C. Bramble, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 10**, **S.B. 30**, and **3rd Sub. S.B. 68**, were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 13, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 120**, CHILD WELFARE FUNDING FOR IN-HOME SERVICES, by Representative M. Thompson, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 3, Lines 64 through 69:

64 (5) To provide, expand, and improve the delivery of in-home services to prevent the

65 removal of children from their homes and promote the preservation of families, the division

66 shall make [[every]] substantial effort to obtain funding, including:

67 (a) federal grants;

68 (b) federal waivers; and

69 (c) private monies.; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 91**, EMERGENCY MEDICAL SERVICE PROVIDER AMENDMENTS, by Senator S. Jenkins, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 5, Lines 132 through 134:

132 (ii) The applicants who are approved under Section 26-8a-405 and who are selected

133 under Subsection (3)(a)(i) may be any [[{}]]other[[{}]] public entity or entities, any private person or

134 entity, or any combination thereof; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 112**, UNIFORM ANATOMICAL GIFT ACT AMENDMENTS, by Senator K. Hale, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee recommends **H.B. 61**, CHILD WELFARE INVESTIGATIONS, by Representative M. Thompson, be replaced and favorably recommends **1st Sub. H.B. 61**, CHILD WELFARE INVESTIGATIONS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 225**, PROVISION FOR EMERGENCY MEDICAL SERVICES, by Representative P. Wallace.

Mike Thompson, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Health and Human Services committee were adopted.

H.B. 120, as amended, **S.B. 91**, as amended, and **S.B. 112**, read the second time by short title and placed on the calendar for third reading.

Sub. H.B. 61 and **H.B. 225**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 13, 2004

The Public Utilities and Technology Committee recommends **H.B. 323**, SPYWARE REGULATION, by Representative S. Urquhart, be replaced and favorably recommends **2nd Sub. H.B. 323**, SPYWARE REGULATION; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 145**, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE, by Representative S. Urquhart, with the following amendments:

1. Page 1, Line 27:
After line 27 insert:
“59–24–103.5, as enacted by Chapter 295, Laws of Utah 2003”

2. Page 2, Line 35:
After line 35 insert:
“(b)(i) “Class A low-level radioactive waste” means low-level radioactive waste, as defined in Subsection 19-3-102(8), which is not class B and class C low-level radioactive waste, as defined in Subsection 19-3-102(4).
(ii) “Class A low-level radioactive waste” does not include uranium mill tailings.”

ReNUMBER remaining subsections accordingly.

3. Page 4, Line 92:
After line 92 insert:
“(5) Notwithstanding Subsection (4)(c)(ii), a radioactive waste facility which, prior to January 1, 2004, has received a radioactive waste license to receive, transfer, store, decay in storage, treat, or dispose of class A low-level radioactive waste, is not subject to the requirements of Subsections (3)(c) and (d) for any application to amend the existing license if the application requests approval to receive, transfer, store, decay in storage, treat, or dispose of class A low-level radioactive waste.”

ReNUMBER remaining subsections accordingly.

4. Page 4, Line 113:
After line 113 insert:
“Section 2. Section 59-24-103.5 is amended to read:
59-24-103.5. Radioactive waste disposal, processing, and recycling facility tax.
(1) On and after July 1, 2003, there is imposed a tax on a radioactive waste facility, or a processing or recycling facility, as provided in this chapter.
(2) The tax is equal to the sum of the following amounts:
(a) 12% of the gross receipts of a radioactive waste facility derived from the disposal of containerized class A waste;
(b) 10% of the gross receipts of a radioactive waste facility derived from the disposal of processed class A waste;
(c) 5% of the gross receipts of a radioactive waste facility derived from the disposal of uncontainerized, unprocessed class A waste from a governmental entity or an agent of a governmental entity:
(i) pursuant to a contract entered into on or after April 30, 2001;
(ii) pursuant to a contract substantially modified on or after April 30,

2001;

(iii) pursuant to a contract renewed or extended on or after April 30, 2001; or

(iv) not pursuant to a contract;

(d) 5% of the gross receipts of a radioactive waste facility derived from the disposal of uncontainerized, unprocessed class A waste received by the facility from an entity other than a governmental entity or an agent of a governmental entity;

(e) (i) 5% of the gross receipts of a radioactive waste facility derived from the disposal of mixed waste, other than the mixed waste described in Subsection (2)(e)(ii), received from an entity other than a governmental entity or an agent of a governmental entity; and
(ii) 10% of the gross receipts of a radioactive facility derived from the disposal of mixed waste:

(A) received from an entity other than a governmental entity or an agent of a governmental entity; and

(B) that contains a higher radionuclide concentration level than the mixed waste received by the radioactive waste facility prior to April 1, 2004;

(f) 10 cents per cubic foot of alternate feed material received at a radioactive waste facility for disposal or reprocessing; and

(g) 10 cents per cubic foot of byproduct material received at a radioactive waste facility for disposal.

(3) For purposes of the tax imposed by this section, a fraction of a cubic foot is considered to be a full cubic foot.

(4) Except as provided in Subsection (2)(e), the tax imposed by this section does not apply to radioactive waste containing material classified as hazardous waste under 40 C.F.R. Part 261.”

Renumber remaining sections accordingly.

Stephen H. Urquhart, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Public Utilities and Technology committee were adopted.

2nd Sub. H.B. 323 and H.B. 145, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 13, 2004

The Education Committee reports a favorable recommendation on **H.B. 113**, NONRESIDENT TUITION WAIVER FOR JOB CORPS STUDENTS, by Representative L. Shurtliff, with the following amendments:

- 1. Page 2, Line 48:
After "Subsection (1)" insert "within the state system of higher education"; and

The Education Committee reports a favorable recommendation on **H.B. 126**, TEACHER CLASSIFICATIONS, by Representative R. Bigelow, with the following amendments:

- 1. Page 2, Lines 29 through 36:
 - 29 (a) "Associate teacher" means a person who does not currently hold a level 1, 2, or 3
 - 30 license, but is permitted to teach in a public school under another authorization [~~including:~~
 - 31 ~~(i) a person who holds a letter of authorization;~~
 - 32 ~~(ii) a student teacher;~~
 - 33 ~~(iii) a person participating in an alternative preparation program;~~
 - 34 ~~(iv) a person issued a license based on eminence or outstanding qualifications in a field~~
 - 35 ~~taught in the public schools; or~~
 - 36 ~~(v) a person who holds a competency based license~~].

Margaret Dayton, Chair

Reports filed. On motion of Representative Curtis, the reports of the Education committee were adopted.

H.B. 113, as amended, and **H.B. 126**, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 13, 2004

The Business and Labor Committee recommends **H.B. 160**, MORTGAGE ACT AMENDMENTS, by Representative W. Harper, be replaced and reports a

favorable recommendation on **2nd Sub. H.B. 160**, MORTGAGE ACT AMENDMENTS with the following amendments:

1. Page 2, Line 32:

32 ~~[[61-2d-108, Utah Code Annotated 1953]]~~

2. Page 5, Lines 120 through 122:

120 ~~[[A high-cost mortgage may not include terms under which the outstanding principal~~

121 ~~balance will increase at any time over the course of the loan because the regular periodic~~

122 ~~payments do not cover the full amount of the interest due.]] A high cost mortgage shall provide for regular, periodic payments sufficient to pay:~~

~~(a) all accrued interest and a portion of principal on the scheduled due date for each payment; and~~

~~(b) the full amount owed during the term of the loan, if no late fees or other contingent charges are incurred.~~

3. Page 6, Line 159:

159 ~~(1) the offer or sale of any insurance policy, on a single premium or single fee basis, that insures.~~

4. Page 6, Lines 167 through 179:

~~[[167 Section 8. Section 61-2d-108 is enacted to read:~~

168 ~~61-2d-108. Limitations on refinancing.~~

169 ~~(1) A lender may not refinance a high-cost mortgage made by that lender or an affiliate~~

170 ~~of that lender with another high-cost mortgage during the one-year period beginning on the~~

171 ~~date of the consummation of the prior high-cost mortgage.~~

172 ~~(2) A mortgage broker may not arrange for the refinancing of a high-cost mortgage~~

173 ~~made through the same broker or an affiliate of that broker with another high-cost mortgage~~

174 ~~during the one-year period beginning on the date of consummation of the prior high-cost~~

175 ~~mortgage.~~

176 ~~(3) This section does not apply if the scheduled finance charge for the balance of the~~

177 ~~prior existing high-cost mortgage exceeds the scheduled finance charge for the subsequent~~

178 ~~high-cost mortgage by an amount greater than the amount of the fees and charges imposed by~~

179 ~~the lender for the subsequent mortgage.]]~~

5. Page 7, Lines 190 through 192:

190 (1) A lender may not recommend or encourage default or nonpayment leading to foreclosure on an existing

191 loan or other debt prior to and in connection with the closing or planned closing of a high-cost

192 mortgage that refinances all or any portion of such existing loan or debt.

6. Page 8, Lines 216 through 217:

216 Failure to [[provide the notices or information described in Subsection 61-2d-105(1) and

217 Sections 61-2d-111 and 61-2d-112]] comply with any provision under this chapter does not affect the enforceability of the loan or any of its; and

The Business and Labor Committee recommends **H.B. 136**, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS, by Representative M. Morley, be replaced and favorably recommends **1st Sub. H.B. 136**, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 251**, RADIO FREQUENCY IDENTIFICATION – RIGHT TO KNOW ACT, by Representative D. Hogue, with the following amendments:

1. Page 3, Lines 63 through 64:

63 (6) “Radio frequency identification tag” means a device that is able to transmit and collect

64 information on a microchip through radio waves.

2. Page 1, Line 19:

19 [[None]] This bill takes effect on May 5, 2005.

3. Page 6, Line 156:

156 (C) that is in print that contrasts with the background against which it appears.

Section 3. Effective date

This bill takes effect on May 5, 2005.; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 132**, UTAH CONSTRUCTION TRADES LICENSING ACT – ELECTRICAL LICENSING AMENDMENTS, by Senator S. Jenkins.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Buttars, the reports of the Business and Labor committee were adopted.

2nd Sub. H.B. 160, as amended, **Sub. H.B. 136**, **H.B. 251**, as amended, and **S.B. 132**, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 239, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, read the third time by short title and placed on its final passage.

Representative Bourdeaux declared a conflict of interest due to employment.

H.B. 239, as amended, then passed on the following roll call:

Yeas, 51; Nays, 16; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dayton | Dee | Dillree | Dougall |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |

| | | | |
|----------|----------|-------------|---------|
| Moss | Murray | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Urquhart | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------------|---------|-----------|
| Alexander | Bennion | Bigelow | Bush |
| Daniels | Donnelson | Ferry | Frank |
| Hughes | E. Hutchings | King | McCartney |
| Morley | Ure | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|---------|----------|
| Barrus | Biskupski | Curtis | Ferrin |
| Holdaway | Newbold | Philpot | Thompson |

H.B. 239, as amended, transmitted to the Senate for its consideration.

INTENT LANGUAGE FOR H.B. 239

On motion of Representative Bourdeaux, the House voted to print the following intent language in the House Journal.

“In passing H.B. 239, TAX OF SEXUALLY EXPLICIT BUSINESS, the Legislature intends the following:

(1) The Legislature recognizes that it takes a combination of remedies to preserve the health, promote prosperity, improve the morals, and provide peace and good order to all in the state.

(2) It is the intent of this act to tax sexually explicit businesses and escort services to provide a revenue for treating individuals who have been convicted of sex offenses. The provisions of this act have neither the intent nor the effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor the effect of the act to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor the effect of this act to condone or legitimize the distribution of obscene material.

(3) The Legislature finds:

(a) the Supreme Court of the United States has upheld the regulation of sexually oriented businesses because of the deleterious effect they have on a community;

(b) sexually oriented businesses have a deleterious effect on the community,

causing increased crime, including unlawful sexual activities;

(c) it is in the best interest of the citizens of this state to provide counseling to individuals who have committed a sex offense;

(d) most sex offenders continue to commit sex offenses if they do not receive treatment;

(e) sex offenders treatment is expensive, if an offender has to pay for treatment, restitution and normal living expenses, they generally cannot afford the treatment; and

(f) it is reasonable to tax sexually explicit businesses and escort services in order to provide counseling for individuals who have committed a sex offense.”

THIRD READING CALENDAR

H.B. 240, REVENUE AND TAXATION – OFFENSES AND, read the third time by short title and placed on its final passage.

H.B. 240 then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative
Philpot

Absent or not voting were: Representatives

Biskupski D. Cox Holdaway Thompson

H.B. 240 transmitted to the Senate for its consideration.

* * *

H.J.R. 13, CLOG AMERICA RESOLUTION, read the third time by short title and placed on its final passage.

On motion of Representative Goodfellow, the House voted to set **H.J.R. 13** for Time Certain on February 20, 2004 at 4:00 p.m.

* * *

H.B. 86, PRIMARY CARE NETWORK AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 86**.

* * *

H.B. 227, MIDWIFE CERTIFICATION ACT, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **H.B. 227**.

* * *

Sub. H.B. 36, MANAGEMENT ENHANCEMENT, AND FUNDING OF 911 SYSTEM, read the third time by short title and placed on its final passage.

Representative Snow proposed the following amendment:

- 1. Page 3, Line 82

82 ~~[(iv)]~~ (vi) Mountainlands Association, not including Utah County;

- 2. Page 4, Line 96

House Committee Amendments
2-4-2004:

96 rotation of membership as required by Subsection (2)~~[(e)]~~ (b)(i) :

- 3. Page 4, Line 99

House Committee Amendments
2-4-2004:

99 ~~with the consent of the senate~~ H ~~[[]]~~ : and

- 4. Page 7, Line 188
House Committee Amendments
2-4-2004:

188 (i) authorize the use of the money in the fund, by grant ~~[[or loan]]~~ to a local entity or state

- 5. Page 7, Line 190
House Committee Amendments
2-4-2004:

190 (ii) grant ~~[[or loan]]~~ to state agencies and local entities an amount not to exceed the per

- 6. Page 7, Line 193
House Committee Amendments
2-4-2004:

193 (iii) in addition to any money under Subsection (1)(a)(ii), grant~~[[or loan]]~~ to counties of

Representative Snow’s motion to amend passed on a voice vote.

Sub. H.B. 36, as amended, then passed on the following roll call:

Yeas, 42; Nays, 24; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dee | Dougall | Ferry | Goodfellow |
| Hardy | Hogue | E. Hutchings | B. Johnson |
| Jones | King | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Pace | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|----------|
| Alexander | Bennion | Christensen | Curtis |
| Dayton | Donnelson | Duckworth | Dunnigan |

| | | | |
|----------|----------|----------|-------------|
| Ferrin | Frank | Gowans | Hansen |
| Hughes | Kiser | Last | Lawrence |
| Lockhart | Morley | Newbold | Peterson |
| Philpot | Thompson | Urquhart | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|---------|-------------|-----------|
| S. Allen | Bigelow | Bird | Biskupski |
| Dillree | Harper | Hendrickson | Holdaway |
| Noel | | | |

Sub. H.B. 36, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 84, STATE SCHOOL BOARD CANDIDATES, read the third time by short title and placed on its final passage.

Representative Cox proposed the following amendment:

1. Page 1, Line 22:
Delete "None" and insert "This bill provides an immediate effective date."

2. Page 5, Line 128:
After line 128 insert:
"Section 3. Effective date.
If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override."

Representative Cox's motion to amend passed on a voice vote.

H.B. 84, as amended, then failed to pass on the following roll call:

Yeas, 15; Nays, 52; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|--------|-------------|---------|---------|
| Aagard | Alexander | Bowman | Bryson |
| Bush | Christensen | D. Cox | Dayton |
| King | Lawrence | Love | Mascaro |
| Murray | Ure | Wallace | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Adams | Anderson | Barrus | Becker |
| Bigelow | Bird | Bourdeaux | Buffmire |
| Buttars | Buxton | D. Clark | S. Clark |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | E. Hutchings | B. Johnson |
| Jones | Kiser | Last | Litvack |
| Lockhart | McCartney | McGee | Morgan |
| Moss | Newbold | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Urquhart | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|---------|-----------|----------|
| S. Allen | Bennion | Biskupski | Holdaway |
| Hughes | Morley | Noel | Styler |

H.B. 84, as amended, was filed.

* * *

H.B. 223, STATE SCHOOL BOARD CANDIDATE SELECTION COMMITTEES, read the third time by short title and placed on its final passage.

On motion of Representative Morgan, the House voted to circle **H.B. 223**.

* * *

H.B. 172, INSURANCE LIQUIDATION LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 172, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |

| | | | |
|-------------|----------|--------------|------------|
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-----------|----------|
| S. Allen | Bennion | Biskupski | Holdaway |
| Hughes | Lockhart | Noel | Styler |

H.B. 172, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 171, INSURANCE FRAUD AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 171, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |

| | | | |
|----------|-------------|----------|---------|
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives
 Biskupski Holdaway Hughes Noel
 Philpot

H.B. 171, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 245, INSURANCE LAW REVISIONS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 62, Lines 1902 through 1907a
 House Committee Amendments
 2-4-2004

1902 (vii) ~~the individual is~~ an eligible employee, a dependent of an eligible

1902a ~~employee, or a~~

1903 ~~member of~~ as for eligible for coverage under ~~an employer group that offers health insurance or a self-insurance~~

1904 ~~arrangement to~~ its eligible employees, dependents, or members ~~the individual is~~ as :

1905 (A) an eligible employee;

1906 (B) a dependent of an eligible employee; or

1907 (C) a member ~~OF AN EMPLOYER GROUP THAT OFFERS HEALTH INSURANCE OR A~~

1907a SELF INSURANCE ARRANGEMENT TO ITS ELIGIBLE EMPLOYEES, DEPENDENTS, OR MEMBERS] ;

2. Page 63, Lines 1926 through 1930a
 House Committee Amendments
 2-4-2004:

1926 (iv) ~~as for an employer group that offers health insurance or a self insurance~~

1927 arrangement to its eligible employees, dependents, or members, the individual] H̄ [[is:] the individual is eligible for coverage under an employer group that offers health insurance or self insurance arrangements to its eligible employees, dependents, or members as:

1928 (A) an eligible employee;

1929 (B) a dependent of an eligible employee; or

1930 (C) a member [~~H̄ OF AN EMPLOYER GROUP THAT OFFERS HEALTH INSURANCE OR A~~

~~SELF-INSURANCE ARRANGEMENT TO ITS ELIGIBLE EMPLOYEES, DEPENDENTS, OR MEMBERS H̄]] ;~~

Representative Dunnigan’s motion to amend passed on a voice vote.

H.B. 245, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|------|
| Biskupski | Holdaway | Hughes | Noel |
|-----------|----------|--------|------|

H.B. 245, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 93, DNA Reimbursement, read the third time by short title and placed on its final passage.

H.B. 93, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|----------|--------|
| Biskupski | Goodfellow | Holdaway | Hughes |
| Noel | | | |

H.B. 93, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 247, TASK FORCE STUDYING WATER ISSUES, read the third time by short title and placed on its final passage.

Representative Styler proposed the following amendment:

1. Page 2, Line 50:
After “water” insert “conservation and” and after “reuse” insert “, including the recycling of treated municipal effluent”

Representative Styler’s motion to amend passed on a voice vote.

###

Representative Daniels proposed the following amendment:

- 1. Page 2, Line 30:
Delete “four” and insert “three”
- 2. Page 2, Line 32:
Delete “six” and insert “five”

Representative Daniels’ motion to amend failed on a voice vote.

H.B. 247, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|---------|
| Biskupski | Holdaway | Hughes | Mascaro |
|-----------|----------|--------|---------|

H.B. 247, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 13, 2004

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 69**, Pharmaceutical Cost Reduction Amendments

(Rep. R. McGee) , be replaced with **Substitute H.B. 69**, Pharmaceutical Cost Reduction Amendments (Rep. R. McGee), and further recommends it be assigned to the Health and Human Services Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 277** Insurance Amendments – Licensing for Sales of Annuities (Rep. M. Newbold)
1st Sub. S.B. 106 Dishonored Checks – Motor Vehicle Repair Facilities (Sen. D. C. Buttars)

GOVERNMENT OPERATIONS

- H.B. 142** Audit Requirements for Political Subdivisions (Rep. B. Ferry)
H.B. 290 State Employee Compensation Study Task Force (Rep. M. Newbold)

HEALTH AND HUMAN SERVICES

- H.B. 275** Adoption Amendments (Rep. A. Hardy)
S.B. 125 Confidentiality of Drug Testing (Sen. P. Julander)
4th Sub. S.B. 90 Medical Neglect – Exclusion (Sen. D. Thomas)

JUDICIARY

- H.B. 266** Revisions to Child Welfare (Rep. W. Harper)
H.B. 336 Claims on Real Property (Rep. G. Hughes)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- S.B. 160** Controlled Substances Act Amendments (Sen. P. Julander)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 314** Consumer Protection Revisions (Rep. J. Dougall)
H.B. 325 Motor Vehicle Insurance Amendment (Rep. C. Bennion)

POLITICAL SUBDIVISIONS

- H.B. 147** Municipal Code Condemnation Amendments (Rep. L. Christensen)
H.B. 288 Process for Submitting Opinion Question to Ballot (Rep. R. Becker)

H.J.R. 15 Joint Resolution – Submitting Bonding for Open Space to Voters (Rep. R. Becker)

NATURAL RESOURCES

H.B. 324 Safe Drinking Water Act Amendment (Rep. C. Moss)

REVENUE AND TAXATION

H.B. 312 Nonparticipating Tobacco Manufacturer’s Fee (Rep. D. Ure)

H.B. 331 Choice in Health Care (Rep. K. Bryson)

H.B. 352 Inheritance Tax Act Amendments (Rep. B. Goodfellow)

S.B. 139 Individual Income Tax – Nonresident Income Amendments (Sen. C. Bramble)

TRANSPORTATION

H.B. 270 Residence Requirements for Driver License (Rep. M. Noel)

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

S.B. 91, having received six objections, was removed from the Consent Calendar and placed on the Senate Third Reading Calendar.

* * *

On motion of Representative Curtis, the House voted to adjourn until February 16, 2004, at 10:00 a.m.

TWENTY-NINTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:05 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by 1st Lieutenant Darin R. Gumucio, Bravo Troop, 1/221st Cavalry, Nevada National Guard, guest of Representative Margaret Dayton.

CONCURRENCE CALENDAR

On motion of Representative D. Clark, the House voted to concur in the Senate amendments to **H.B. 35**, REQUIREMENTS OF TRUSTEES OF TRUST DEEDS.

H.B. 35, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|-------|
| Adams | Bourdeaux | Dayton | Hardy |
| McCartney | | | |

H.B. 35, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

Representative Frank made a motion to concur in the Senate amendments to **Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, which failed on a voice vote. Representative Ferry made a motion to refuse to concur and request the Senate to recede from its amendments which failed on the following roll call:

Yeas, 34; Nays, 38; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|----------|-------------|
| Alexander | S. Allen | Bigelow | Bowman |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Dougall | Dunnigan | Ferry |
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Lawrence | Love |
| Mascaro | Newbold | Noel | Pace |
| Seitz | G. Snow | Styler | Urquhart |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-----------|----------|
| Agard | Anderson | Barrus | Becker |
| Bennion | Bird | Biskupski | Bryson |
| Buffmire | Daniels | Dayton | Dillree |
| Donnelson | Duckworth | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hogue |
| Jones | King | Kiser | Last |
| Litvack | Lockhart | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Peterson | Philpot | Shurtliff | Thompson |
| Ure | Wallace | | |

Absent or not voting were: Representatives

| | | |
|-------|-----------|-------|
| Adams | Bourdeaux | Hardy |
|-------|-----------|-------|

Sub. H.B. 40 will remain on the Concurrence Calendar.

MISCELLANEOUS BUSINESS

Speaker Stephens appointed a conference committee to **Sub. S.B. 23** consisting of Representatives Noel, Ure, and Gowans.

UNFINISHED BUSINESS

On motion of Representative Biskupski, the House voted to uncircle **H.B. 227**.

H.B. 227, MIDWIFE CERTIFICATION ACT, was before the House on its final passage.

On motion of Representative Bird, the House voted to circle **H.B. 227**.

THIRD READING CALENDAR

Sub. H.B. 211, RENEWAL OF FISHING LICENSE, read the third time by short title and placed on its final passage.

Sub. H.B. 211 then passed on the following roll call:

Yeas, 72; Nays, 1; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative Bigelow

Absent or not voting were: Representatives D. Cox Hansen

Sub. H.B. 211 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Morgan, the House voted to uncircle **H.B. 223**.

H.B. 223, STATE SCHOOL BOARD CANDIDATE SELECTION COMMITTEES, was before the House on its final passage.

Representative Snow proposed the following amendment:

- 1. Page 3, Lines 67–70:
Delete lines 67 through 70 and renumber accordingly.
- 2. Page 3, Line 73:
Delete “four” and insert “six”

Representative Holdaway proposed the following substitute motion to amend:

- 1. Page 3, Line 69–70:
Delete lines 69 through 70 and renumber accordingly.
- 2. Page 3, Line 73:
Delete “four” and insert “five”

Representative Holdaway’s substitute motion to amend passed on the following roll call:

Yeas, 50; Nays, 21; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-------------|------------|
| Agard | S. Allen | Anderson | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buxton | Christensen | D. Cox |
| Daniels | Dayton | Dee | Dougall |
| Duckworth | Dunnigan | Frank | Goodfellow |

| | | | |
|-------------|---------|-----------|--------------|
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Shurtliff | Styler |
| Ure | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|----------|-----------|
| Adams | Alexander | Barrus | Buttars |
| D. Clark | S. Clark | Curtis | Donnelson |
| Ferrin | Ferry | Lockhart | Love |
| Morley | Noel | Philpot | Seitz |
| G. Snow | Thompson | Urquhart | Wallace |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|------------|----------|
| Dillree | Hughes | B. Johnson | Peterson |
|---------|--------|------------|----------|

###

Representative Dougall proposed the following amendment:

1. Page 3, Line 74:
Delete “including.” and insert “. and”
2. Page 3, Lines 75–86:
Delete lines 75 through 86.

Representative Dougall’s motion to amend passed on a voice vote.

H.B. 223, as amended, then passed on the following roll call:

Yeas, 69; Nays, 3; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Frank | Goodfellow |

| | | | |
|-------------|----------|-----------|--------------|
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives
 Alexander Buttars Ferry

Absent or not voting were: Representatives
 Hughes Noel Peterson

H.B. 223, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 16, 2004
 The Senate passed **S.B. 71**, SAFETY BELT ENFORCEMENT, by Senator K. Hale, and it is transmitted for consideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. **S.B. 71**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 16, 2004
 The President of the Senate has appointed a Conference Committee consisting of Senators Hatch, B. Evans, and G. Davis to meet with a like committee from the House of Representatives to consider or amend **1st Sub.**

S.B. 23, AMENDMENTS TO MUNICIPAL GOVERNMENT, by Senator T. Hatch.

Annette B. Moore
Secretary of the Senate

Communication filed.

* * *

Mr. Speaker: February 16, 2004

The President of the Senate has signed **H.B. 35**, REQUIREMENTS OF TRUSTEES OF TRUST DEEDS, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 35** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 16, 2004

The Political Subdivisions Committee recommends **H.B. 56**, LOCAL GOVERNMENT LIEN FOR SERVICE CHARGES, by Representative S. Mascaro, be replaced and reports a favorable recommendation on **1st Sub. H.B. 56**, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES with the following amendments:

1. Page 6, Lines 177 through 178:

177 (b) the local entity mails ~~[[provides]]~~ the customer notice as provided in Section

178 11-41-106; and; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 145**, COUNTY SURVEYOR AMENDMENTS, by Senator C. Walker; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 65**, COUNTY CLASSIFICATION AMENDMENTS, by Senator L. Blackham, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 1, Lines 9 through 12:

- 9 Highlighted Provisions:

- 10 This bill:

- 11 ► changes the ranges of population that define counties of the ~~[[second]]~~ third through sixth

- 12 class.

- 2. Page 1, Line 26 through Page 2, Line 29:

- 26 (b) A county with a population of ~~[[[]]125,000[[[]]]~~ ~~[[+150,000]]~~ or more but less than 700,000 is a

- 27 county of the second class.

- 28 (c) A county with a population of ~~[+8,000]~~ 31,000 or more but less than ~~[[[]]125,000[[[]]]~~

- 29 ~~[[+150,000]]~~ is a county of the third class; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 142**, VALIDITY OF MARRIAGE LICENSES, by Senator G. Davis, and recommends it be placed on the Consent Calendar.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 56, as amended, and **S.B. 145**, read the second time by short title and placed on the calendar for third reading.

S.B. 65, as amended, and **S.B. 142**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 13, 2004

The Judiciary Committee reports a favorable recommendation on **S.J.R. 6**, RESOLUTION ON IMPEACHMENT AUTHORITY, by Senator J. Valentine, with the following amendments:

- 1. Page 1, Line 25:

- After line 25 insert:

- “This resolution provides a coordination clause.”

2. Page 3, Line 77:

After line 77 insert:

“Section 7. Coordination clause.

If this joint resolution and H.J.R. 8, Resolution Authorizing the Legislature to Call Itself Into Session, both pass and are approved by a majority of those voting on the joint resolutions at the next regular general election, it is the intent of the Legislature and the People of the state that the Office of Legislative Research and General Counsel, in preparing the Utah Constitution database for publication, combine and coordinate the amendments made to Article VI, Section 16 in this joint resolution with the amendments made to Article VI, Section 16 in H.J.R. 8, so that the combined and coordinated amendments to Article VI, Section 16 read as follows:

’Article VI, Section 16. [Duration of sessions.]

~~[No]~~ Except in cases of impeachment:

~~(1) no annual general session of the Legislature [shall] may exceed 45 calendar days[, except in cases of impeachment. No special session shall exceed 30 calendar days, except in cases of impeachment.]:~~

~~(2) no session individually, and no sessions cumulatively, convened by the Legislature under Article VI, Section 34 may exceed 15 calendar days in a calendar year; and~~

~~(3) no session of the Legislature convened by the Governor under Article VII, Section 6 may exceed 30 calendar days.~~

~~[When any session of the Legislature trying cases of impeachment exceeds the number of days it may remain in session as provided in this section, the members shall receive compensation only for expenses and mileage for those days in excess of 30.]”;~~ and

The Judiciary Committee reports a favorable recommendation on **S.B. 141**, NEW JUDGE – SECOND DISTRICT COURT, by Senator G. Bell; and

The Judiciary Committee reports a favorable recommendation on **S.B. 80**, CAPITAL PUNISHMENT AMENDMENTS – EXCLUDED DAYS, by Senator J. Valentine; and

The Judiciary Committee reports a favorable recommendation on **S.B. 119**, PROSECUTION JURISDICTION AMENDMENT, by Senator B. Evans; and

The Judiciary Committee reports a favorable recommendation on **S.B. 136**, UNIFORM INTERSTATE FAMILY SUPPORT ACT, by Senator L. Hillyard; and

The Judiciary Committee reports a favorable recommendation on **S.B. 38**, ARSON OFFENSE AMENDMENTS, by Senator P. Arent; and

The Judiciary Committee reports a favorable recommendation on **H.B. 294**, PURCHASE OF FIREARMS AMENDMENTS, by Representative J. Ferrin; and

The Judiciary Committee reports a favorable recommendation on **H.B. 295**, ISSUANCE OF CONCEALED FIREARM PERMITS AMENDMENTS, by Representative J. Ferrin; and

The Judiciary Committee reports a favorable recommendation on **H.B. 129**, CHILD PROTECTION TEAM MEETINGS, by Representative C. Bennion, and recommends it be placed on the Consent Calendar; and

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

S.J.R. 6, as amended, and **S.B. 141**, read the second time by short title and referred to the Rules committee due to fiscal impact.

S.B. 80, **S.B. 119**, **S.B. 136**, **S.B. 38**, **H.B. 294**, and **H.B. 295**, read the second time by short title and placed on the calendar for third reading.

H.B. 129, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 13, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 158**, WATER SHARES IN A MUNICIPAL WATER COMPANY, by Representative G. Hughes; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 138**, TRESPASSING ON STATE PARK LANDS, by Representative S. Allen; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 138**, FISHING AND HUNTING LICENSE AMENDMENTS, by Senator D. Gladwell.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 158, **H.B. 138**, and **Sub. S.B. 138**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 16, 2004

The Revenue and Taxation Committee recommends **S.B. 124**, PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY, by Senator S. Killpack, be replaced and favorably recommends **1st Sub. S.B. 124**, PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 273**, TAX AND CHARGE AMENDMENTS, by Representative W. Harper, with the following amendments:

1. Page 1, Line 25:
After line 25 insert “repeals a cap on certain state sales and use tax that is dedicated to fund certain water projects and certain Department of Natural Resources projects;”
2. Page 50, Line 1545:
After “2003,” bracket “the lesser of the following amounts” and insert “for taxes listed under Subsection (3) (a), the amount of tax revenue generated by a 1/16% tax rate on the transactions described in Subsection (1) for the fiscal year”
3. Page 50, Line 1546:
After “(g)” delete the colon and insert a period
4. Page 51, Line 1547:
Delete “(i)” and bracket the remainder of the line
5. Page 51, Line 1548:
Delete “(A)” and bracket the remainder of the line
6. Page 51, Line 1549:
Delete “(B)” and bracket the remainder of the line
7. Page 51, Line 1550
Delete “(ii)” and bracket the remainder of the line; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 306**, PROPERTY TAX RELIEF, by Representative L. Christensen; and

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

Sub. S.B. 124, H.B. 273, as amended, and **H.B. 306**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 16, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.J.R. 23**, RESOLUTION URGING STUDY OF INCENTIVES FOR FILM INDUSTRY PRODUCTION IN UTAH, by Representative S. Allen, and recommends it be placed on the Consent Calendar; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 152**, DIVISION OF COMMUNITY DEVELOPMENT NAME CHANGE, by Senator S. Jenkins, and recommends it be placed on the Consent Calendar; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. S.B. 44**, CHILD CARE CENTERS REGULATIONS, by Senator P. Hellewell; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 150**, WORKERS' COMPENSATION – FIRE DEPARTMENT EMPLOYEES, by Representative J. Murray.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

H.J.R. 23 and **S.B. 152**, read the second time by short title and placed on the Consent Calendar.

Sub. S.B. 44 and **H.B. 150**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 16, 2004

The Government Operations Committee reports a favorable recommendation on **H.B. 293**, REPEAL OF NATIONAL GUARD EFFICIENCY BOARDS, by Representative J. Ferrin, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **H.B. 290**, STATE EMPLOYEE COMPENSATION STUDY TASK FORCE, by Representative M. Newbold; and

The Government Operations Committee reports a favorable recommendation on **H.B. 142**, AUDIT REQUIREMENTS FOR POLITICAL SUBDIVISIONS, by Representative B. Ferry; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. S.B. 134**, GOVERNOR'S COMMISSION FOR WOMEN AND FAMILIES, by Senator C. Walker.

James A. Ferrin, Chair

Reports filed. On motion of Representative Hutchings, the reports of the Government Operations committee were adopted.

H.B. 293, read the second time by short title and placed on the consent calendar.

H.B. 290, **H.B. 142**, and **Sub. S.B. 134**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 13, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 157**, TRANSPORTATION AMENDMENTS, by Representative J. Dougall, with the following amendments:

1. Page 9, Lines 250 through 251:

250 (10) (a) The board shall report, at least annually, the short-term and long-range public

251 transit plans to the Transportation Commission created in Section 72-1-301.

(b) The report shall include the transit portions of applicable regional transportation plans adopted by a metropolitan planning organization established under 23 U.S.C. Sec. 134.; and

The Transportation Committee reports a favorable recommendation on **S.B. 133**, BULK DELIVERY OF MOTOR FUEL, by Senator H. Stephenson; and

The Transportation Committee reports a favorable recommendation on **H.B. 153**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative C. Bird.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

H.B. 157, as amended, **S.B. 133**, and **H.B. 153**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 13, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 135**, NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT, by Representative M. S. Lawrence, with the following amendments:

- 1. Page 4, Line 104 through Page 5, Line 121:

104 (b) If the minor is taken into custody or detention for a violent felony, as defined in

105 Section 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5, Weapons,[[the

106 custodial or detaining agency]] the officer or other law enforcement agent taking the minor into custody shall, as soon as practicable or as established under Subsection

107 53A-11-1001(2), notify the school superintendent of the district in which the minor resides or

108 attends school for the purposes of the minor's supervision and student safety.

* * * Some lines not shown * * *

116 (iii) All other records disclosures are governed by Title 63, Chapter 2, Government

117 Records Access and Management Act and the Federal Family Educational Rights and Privacy Act .

118 (c) Employees of a governmental agency are immune from any criminal liability[[civil or

119 criminal,]] for providing or failing to provide the information required by Section 78-3a-113

120 unless the person acts or fails to act due to malice, gross negligence, or deliberate indifference

121 to the consequences.

2. Page 7, Line 197 through Page 8, Line 214:

197 (b) If the minor is taken into custody or detention for a violent felony, as defined in

198 Section 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5, Weapons, [~~the~~

199 ~~custodial or detaining agency]] the officer or other law enforcement agent taking the minor into custody shall, as soon as practicable or as established under Subsection~~

200 53A-11-1001(2), notify the school superintendent of the district in which the minor resides or

201 attends school for the purposes of the minor's supervision and student safety.

* * * Some lines not shown * * *

209 (iii) All other records disclosures are governed by Title 63, Chapter 2, Government

210 Records Access and Management Act and the Federal Family Educational Rights and Privacy Act .

211 (c) Employees of a governmental agency are immune from any criminal liability[~~-civil or~~

212 ~~riminal-]] for providing or failing to provide the information required by Section 78-3a-113~~

213 unless the person acts or fails to act due to malice, gross negligence, or deliberate indifference

214 to the consequences.; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 63**, WITNESS TAMPERING AMENDMENTS, by Senator D. C. Buttars; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 143**, CRIMINAL OFFENSE ATTEMPT AMENDMENTS, by Senator D. Gladwell; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 289**, ALCOHOLIC BEVERAGE AMENDMENTS RELATED TO MINORS, by Representative L. Pace.

DeMar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 135, as amended, **S.B. 63**, **S.B. 143**, and **H.B. 289**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 348, CITIZEN PRIVACY AMENDMENTS (*M. Thompson*), read the first time by short title and referred to the Rules Committee.

H.B. 363, GOVERNMENT EFFICIENCY AND EFFECTIVENESS REVIEW TASK FORCE (*P. Wallace*), read the first time by short title and referred to the Rules Committee.

H.B. 370, TOURISM TAX ADVISORY BOARD (*T. Kiser*), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

Sub. H.R. 7, DRIVING UNDER THE INFLUENCE RESOLUTION, read the third time by short title and placed on its final passage.

Sub. H.R. 7, as amended, then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |

| | | | |
|-------------|----------|---------|----------|
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives
Buffmire Dillree

Sub. H.R. 7, as amended, was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

Sub. H.B. 226, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:

1. Page 3, Line 87:
Delete “provide” and insert “fund construction of”

Representative Ure’s motion to amend passed on a voice vote.

Sub. H.B. 226, as amended, then passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-------------|
| Agard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | B. Johnson |
| Jones | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Philpot | G. Snow | Styler | Thompson |
| Ure | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|------------|------|-----------|
| Buffmire | Goodfellow | King | McCartney |
| Pace | Shurtliff | | |

Absent or not voting were: Representatives

| | | | |
|----------|---------|--------------|-------|
| Adams | Dillree | E. Hutchings | Seitz |
| Urquhart | | | |

Sub. H.B. 226, as amended, transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 231, REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE, read the third time by short title and placed on its final passage.

On motion of Representative Bennion, the House voted to delete **2nd Sub. H.B. 231** in title and body and insert **3rd Sub. H.B. 231** in lieu thereof.

3rd Sub. H.B. 231 then passed on the following roll call:

Yeas, 66; Nays, 6; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|---------|------------|
| Becker | Bourdeaux | Daniels | Goodfellow |
| Litvack | McCartney | | |

Absent or not voting were: Representatives

Dillree E. Hutchings Ure

3rd Sub. H.B. 231 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Holdaway, the House voted to uncircle **H.B. 86**.

H.B. 86, PRIMARY CARE NETWORK AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 86 then passed on the following roll call:

Yeas, 46; Nays, 27; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-------------|----------|
| S. Allen | Anderson | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | Curtis | Daniels | Dillree |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Pace | Seitz | Shurtliff | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|---------|----------|-----------|-----------|
| Agard | Adams | Alexander | Barrus |
| Bird | Bryson | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Donnelson |
| Dougall | Ferrin | Ferry | Frank |
| Harper | Hughes | Kiser | Morley |
| Noel | Peterson | Philpot | G. Snow |
| Styler | Thompson | Urquhart | |

Absent or not voting were: Representatives

E. Hutchings Ure

H.B. 86 transmitted to the Senate for its consideration.

* * *

On motion of Representative Moss, the House voted to uncircle **H.B. 199**.

H.B. 199, DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING, was before the House on its final passage.

On motion of Representative Moss, the House voted to delete **H.B. 199** in title and body and insert **Sub. H.B. 199** in lieu thereof.

Representative Harper proposed the following amendment:

- 1. Page 2, Line 44:
Delete "presence or"

Representative Harper’s motion to amend failed on a voice vote.

Sub. H.B. 199 then passed on the following roll call:

Yeas, 67; Nays, 5; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Dougall |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|-------|--------|
| Donnelson | Ferrin | Frank | Morley |
| Thompson | | | |

Absent or not voting were: Representatives

| | | |
|--------------|----------|-----|
| E. Hutchings | Lockhart | Ure |
|--------------|----------|-----|

Sub. H.B. 199 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 256, EXPANSION OF ECONOMIC DEVELOPMENT WEBPAGE, read the third time by short title and placed on its final passage.

H.B. 256, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-------------|--------------|
| Adams | Dillree | Hendrickson | E. Hutchings |
| Philpot | Ure | | |

H.B. 256, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 238, WORKERS' COMPENSATION ACCESS TO MEDICAL RECORDS, read the third time by short title and placed on its final passage.

H.B. 238, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|------------|
| Agard | Alexander | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|--------------|------------|---------|-------------|
| Adams | S. Allen | Dillree | Hendrickson |
| E. Hutchings | B. Johnson | Ure | M. Stephens |

H.B. 238, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 125, COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Kiser, the House voted to circle **H.B. 125**.

* * *

H.B. 252, CALCULATION OF PROPERTY TAX LEVIES, read the third time by short title and placed on its final passage.

H.B. 252 then passed on the following roll call:

Yeas, 55; Nays, 0; Absent or not voting, 20.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|-----------|-----------|
| Agard | Adams | Alexander | Barrus |
| Becker | Bigelow | Bird | Biskupski |

| | | | |
|-----------|-----------|-------------|-------------|
| Bourdeaux | Buttars | Buxton | Christensen |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Shurtliff | G. Snow | Styler | Thompson |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------------|---------|-------------|
| S. Allen | Anderson | Bennion | Bowman |
| Bryson | Buffmire | Bush | D. Clark |
| Dayton | Dillree | Ferry | Hendrickson |
| Hogue | E. Hutchings | Love | McCartney |
| Philpot | Seitz | Ure | Urquhart |

H.B. 252 transmitted to the Senate for its consideration.

* * *

H.B. 230, PROPERTY TAX LEVY FOR EDUCATION, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 230**.

* * *

Sub. H.B. 116, FACILITIES WITH REGIONAL IMPACT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 116**.

* * *

H.B. 162, CANDIDACY FOR MUNICIPAL ELECTIONS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 162**.

* * *

Sub. H.B. 254, SOLID WASTE LANDFILL AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 254, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|------|-------------|
| Alexander | Dillree | Noel | M. Stephens |
|-----------|---------|------|-------------|

Sub. H.B. 254, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 22, CIVIC AND CHARACTER EDUCATION IN SCHOOLS, read the third time by short title and placed on its final passage.

Representative Jones proposed the following amendment:

1. Page 6, Line 152:
After "appreciation of" insert "a more"

Representative Jones' motion to amend failed on a voice vote.

Sub. H.B. 22 then passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Goodfellow | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Seitz | G. Snow | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Anderson | Biskupski | D. Clark | Curtis |
| Daniels | Duckworth | Ferrin | Hansen |
| Hendrickson | Litvack | McCartney | Peterson |
| Shurtliff | Styler | Thompson | Urquhart |

Absent or not voting were: Representatives

| | | | |
|---------|---------|--------|------|
| D. Cox | Dillree | Gowans | Noel |
| Philpot | | | |

Sub. H.B. 22 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker:

February 16, 2004

The Rules Committee recommends that the following bills be lifted from the Transportation Standing Committee and returned to the Rules Committee:

- H.B. 280** Respect Choice – Special Group License Plates
(Rep. R. McGee)
- H.B. 284** Special Group License Plate for Children At Risk
(Rep. L. Christensen)
- H.B. 286** State Railroad Museum License Plates (Rep. J. Murray);
and

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 109**, Legal Presence Provisions (Rep. M. Thompson) replaced with **Substitute H.B. 109**, Legal Presence Provisions (Rep. M. Thompson) and further recommends it be assigned to the Transportation Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 148 Optometry Amendments (Rep. B. Last)

EDUCATION

H.B. 130 Kindergarten Assessment Requirements (Rep. K. Morgan)

H.B. 366 Repeal of Exemption from Nonresident Tuition
(Rep. G. Donnelson)

H.C.R. 9 No Child Left Behind Resolution (Rep. K. Holdaway)

H.C.R. 11 Resolution on Higher Education Remedial Classes
(Rep. M. Dillree)

GOVERNMENT OPERATIONS

H.C.R. 10 Resolution Recognizing National Conference of State
Legislatures Annual Meeting in Salt Lake City
(Rep. D. Hogue)

HEALTH AND HUMAN SERVICES

H.B. 291 Safe Drinking Water Act Amendments
(Rep. G. Donnelson)

H.B. 350 Consumer Access to Prescription Drug Pricing Data
(Rep. D. Ure)

H.B. 361 Adoption Agency Fees Task Force (Rep. S. Daniels)

JUDICIARY

H.B. 139 Evidence Amendments (Rep. J. Murray)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 300 Victim Reparations Amendments (Rep. E. Hutchings)

H.B. 364 Profits from Sale of Crime Memorabilia (Rep. S. Daniels)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.J.R. 17 Resolution Urging Action for Apparent Breaches of
Utah's Enabling Act and Federal Constitution
(Rep. M. Noel)

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 261 Gift Certificates – Eliminating Expiration Date
(Rep. T. McCartney)

TRANSPORTATION

H.B. 308 Vehicle Restraint System Amendments (Rep. C. Frank)

H.B. 343 Practice Permit Requirement Amendments
(Rep. R. Barrus)

H.B. 347 State Highway Designation Changes (Rep. M. Styler)
Marda Dillree, Chair

Reports filed.

Representative Dillree proposed the Rules Committee Reports be adopted. Representative Daniels made a substitute motion to adopt the Rules Committee Reports as read with one addition, that **H.R. 10**, HOUSE RULES RESOLUTION REQUIRING POLITICAL CAUCUSES TO BE OPEN, be lifted from the Rules Committee, considered read the second time by short title, under suspension of the rules, and be placed on the Third Reading Calendar. A request to divide the motion was made. The Rules Committee Reports were adopted on a voice vote; the motion to lift **H.R. 10** from the Rules Committee failed on the following roll call:

Yeas, 19; Nays, 52; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|---------|-------------|------------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Daniels | Duckworth | Goodfellow |
| Gowans | Hansen | Hendrickson | Jones |
| King | Litvack | McCartney | McGee |
| Morgan | Moss | Shurtliff | |

Voting in the negative were: Representatives

| | | | |
|---------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Hughes | B. Johnson |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morley | Murray |

| | | | |
|----------|---------|----------|-------------|
| Newbold | Pace | Peterson | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|--------------|------|---------|
| Holdaway | E. Hutchings | Noel | Philpot |
|----------|--------------|------|---------|

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 17, 2004, at 10:00 a.m.

THIRTIETH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present.

* * *

Mr. Speaker: February 16, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 341**, CHILDREN'S INTERNET PROTECTION ACT, by Representative M. Noel; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 325**, MOTOR VEHICLE INSURANCE AMENDMENT, by Representative C. Bennion; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 314**, CONSUMER PROTECTION REVISIONS, by Representative J. Dougall; and

The Public Utilities and Technology Committee recommends **H.B. 261**, GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE, by Representative T. McCartney, be replaced and favorably recommends **1st Sub. H.B. 261**, GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE.

Stephen H. Urquhart, Chair

Reports filed. On motion of Representative Urquhart, the reports of the Public Utilities and Technology committee were adopted.

H.B. 341, **H.B. 325**, **H.B. 314**, and **Sub. H.B. 261**, read the second time by short title and placed on the calendar for third reading.

CONSENT CALENDAR

Sub. H.B. 236, FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 236 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|---------|--------|
| Alexander | Bennion | Bigelow | Curtis |
| Ferrin | E. Hutchings | Philpot | |

Sub. H.B. 236 transmitted to the Senate for its consideration.

* * *

S.B. 79, REPEAL OF CHILD WELFARE WORKER DESIGNATIONS, read the third time by short title and placed on its final passage.

S.B. 79 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |

| | | | |
|------------|-------------|-------------|-----------|
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------------|--------|
| Alexander | Bennion | Bigelow | D. Cox |
| Curtis | Ferrin | E. Hutchings | Morley |

S.B. 79 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 169, MAIL THEFT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 169 then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |

| | | | |
|----------|----------|----------|-------------|
| Noel | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------------|------------|
| Alexander | Bennion | Bigelow | Curtis |
| Ferrin | Gowans | E. Hutchings | B. Johnson |
| Morley | Pace | Philpot | |

H.B. 169 transmitted to the Senate for its consideration.

* * *

S.B. 137, INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION – APPLICATION FEE, read the third time by short title and placed on its final passage.

S.B. 137 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------------|------------|--------|--------|
| Alexander | Bigelow | Curtis | Ferrin |
| E. Hutchings | B. Johnson | | |

S.B. 137 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. H.B. 164, RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS, read the third time by short title and placed on its final passage.

Sub. H.B. 164 then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------------|------------|
| Alexander | Bigelow | Buttars | Curtis |
| Ferrin | Holdaway | E. Hutchings | B. Johnson |
| Mascaro | | | |

Sub. H.B. 164 transmitted to the Senate for its consideration.

* * *

Sub. S.B. 111, MECHANICS' LIENS AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 111 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|------------|---------|
| Alexander | Bigelow | Curtis | Ferrin |
| Gowans | E. Hutchings | B. Johnson | Philpot |

Sub. S.B. 111 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 122, PAYMENT OF CLAIMS ON DECEASED SETTLOR'S ESTATE, read the third time by short title and placed on its final passage.

S.B. 122 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |

| | | | |
|-------------|----------|-------------|----------|
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|--------------|------------|--------|
| Alexander | Bourdeaux | Curtis | Ferrin |
| Goodfellow | E. Hutchings | B. Johnson | King |

S.B. 122 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 17, 2004

The Senate passed **S.J.R. 7**, RESOLUTION RECOGNIZING SUGAR HOUSE SESQUICENTENNIAL, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **S.J.R. 7**, read the first time by short title and referred to the Rules Committee. On motion of Representative Bigelow, the House voted to lift **S.J.R. 7** from the Rules committee, read the second time by short title and placed at the top of the Third Reading Calendar.

CONCURRENCE CALENDAR

On motion of Representative Frank, the House voted to reconsider its action on the motion to refuse to concur in the Senate amendments to **Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE.

On motion of Representative Ferry, the House voted to refuse to concur with the Senate amendments to **Sub. H.B. 40** and to request the Senate to recede from its amendments.

UNFINISHED BUSINESS

On motion of Representative Shurtliff, the House voted to uncircle **H.B. 53**.

H.B. 53, ADDITIONAL STATE RETIREMENT BENEFIT, was before the House on its final passage.

H.B. 53 then passed on the following roll call:

Yeas, 62; Nays, 10; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Moss | Murray | Newbold |
| Noel | Pace | Seitz | Shurtliff |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|---------|----------|
| D. Clark | Donnelson | Dougall | Ferrin |
| Frank | Hughes | Morley | Peterson |
| Philpot | Ure | | |

Absent or not voting were: Representatives

| | | |
|--------------|--------|----------|
| E. Hutchings | Morgan | Thompson |
|--------------|--------|----------|

H.B. 53 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 7, RESOLUTION RECOGNIZING SUGARHOUSE SESQUICENTENNIAL, read the third time by short title and placed on its final passage.

S.J.R. 7 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|---------|--------------|--------|
| Bigelow | E. Hutchings | Morgan |
|---------|--------------|--------|

S.J.R. 7 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

Sub. H.B. 100, SCHOOL PROFESSIONAL DEVELOPMENT DAYS, read the third time by short title and placed on its final passage.

Representative Snow proposed the following amendment:

- 1. Page 2, Line 40:
Delete "27.5" and insert "16.5"

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 100**.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Senator Bob Bennett.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 17, 2004

The Senate requests the return of **H.B. 174**, FORENSIC MENTAL HEALTH AMENDMENTS, by Representative J. Seitz, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Seitz, the House voted to recall **H.B. 174** from the Office of Legislative Research and General Counsel for the purpose of transmitting the bill to the Senate for reconsideration.

* * *

Mr. Speaker: February 17, 2004

The Senate passed **S.C.R. 4**, RESOLUTION RECOGNIZING 50TH ANNIVERSARY OF LANDMARK CASE OF BROWN V. BOARD OF EDUCATION, by Senator J. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.C.R. 4**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 17, 2004

The Judiciary Committee reports a favorable recommendation on **H.J.R. 25**, JOINT RESOLUTION ON MARRIAGE, by Representative L. Christensen; and

The Judiciary Committee recommends **H.B. 262**, PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT, by Representative J. Alexander, be replaced and reports a favorable recommendation on **1st Sub. H.B. 262**, PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT with the following amendments:

1. Page 2, Lines 28 through 43:

28 (1) A person is guilty of a class B misdemeanor if the person, not
 29 under oath or

29 affirmation, intentionally or knowingly gives or causes to be given
 30 false or misleading

30 information to an officer of the court for the purpose of influencing
 31 a sentencing decision.

31 (2) For the purposes of this section “officer of the court” means:

32 (a) prosecutor;

33 (b) judge;

34 (c) court clerk;

35 [(d) attorney;

36 (e) guardian ad litem;]

37 (f) interpreter;

38 (g) bailiff;

39 (h) presentence investigator;

40 (i) probation officer;

41 (j) parole officer; and

42 (k) any other person reasonably believed to be gathering sentencing
 information for the

43 court.; and

The Judiciary Committee reports a favorable recommendation on **S.B. 150**, JUDICIAL CONFIRMATION PROCESS AMENDMENTS, by Senator D. C. Buttars, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 2, Lines 50 through 52
Senate 3rd Reading Amendments
2-11-2004:

50 ~~[(3)]~~ (4) § (a) Letters of inquiry submitted by any judge at the request of any judicial nominating commission shall be classified as private in accordance with Section 63-2-302; and

(b) All other records [[Records]] received § [by the Senate Judicial Confirmation Committee] § from the

51 governor pursuant to this section may be classified as private in accordance with Section

52 63-2-302.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.J.R. 25 and **Sub. H.B. 262**, as amended, read the second time by short title and placed on the calendar for third reading.

S.B. 150, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 17, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 160**, CONTROLLED SUBSTANCES ACT AMENDMENTS, by Senator P. Julander, and recommends it be placed on the Consent Calendar.

DeMar "Bud" Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.

S.B. 160, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 16, 2004

The Business and Labor Committee reports a favorable recommendation on **S.B. 123**, COURT REPORTER AMENDMENTS, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 113**, ADMINISTRATIVE PROCEDURES ACT AMENDMENTS, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 149**, PETE SUAZO UTAH ATHLETIC COMMISSION ACT AMENDMENTS, by Senator E. Mayne; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 292**, VEHICLE FRANCHISE AMENDMENTS, by Representative B. Last, with the following amendments:

1. Page 1, Lines 16 through 18:

16 ► ~~[[provides]]~~ changes the date that a franchisee must receive written notice~~[[within 12 months, instead of~~

17 ~~24 months,]]~~ of a chargeback levied by a franchisor for sales compensation or a sales

18 incentive for the chargeback to be compensable;

2. Page 8, Lines 227 through 231:

227 (b) Except as provided in Subsection (9)(c), all charge backs levied by a franchisor for

228 sales compensation or sales incentives arising out of the sale or lease of a motor vehicle sold or leased by

229 a franchisee shall be compensable only if written notice of the charge back is received by the

230 franchisee within [24] 12 months immediately following the date when the sales incentive program terminates, but no later than 24 months following the date when payment for the sales

231 compensation or sales incentive was made by the franchisor to the franchisee

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Alexander, the reports of the Business and Labor committee were adopted.

S.B. 123, S.B. 113, S.B. 149, and H.B. 292, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 17, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 332, VETERANS SPECIAL GROUP LICENSE PLATE AMENDMENTS**, by Representative S. Mascaro.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

H.B. 332, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 16, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 241, COMMITMENT FOR MENTAL RETARDATION**, by Representative C. Bird, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 4, Lines 100 through 106:

100 62A-5-302. Division responsibility.

101 ~~[(1)]~~ The division is responsible :(1) for the supervision, care, and treatment of persons

102 with mental retardation in this state who are committed to ~~[[its]]~~ the division's jurisdiction under the provisions

103 of this part~~[[.]]~~ ; and

104 ~~[[F]](2)[[F]]~~ ~~[The division is also responsible]~~ ~~[[F]]~~ to evaluate and determine~~[[F]]~~ ~~[, after the voluntary~~

105 ~~commitment criteria described in Section 62A-5-303 have been found to exist,~~ ~~[[F]]~~ the most

106 appropriate, least restrictive setting for a mentally retarded individual.~~[[F]]~~

- 2. Page 12, Lines 342 through 345:

342 determines that a transfer would be in the best interest of that resident. If a resident is

343 transferred, the administrator shall give immediate notice of the transfer to the resident's

344 spouse, guardian, parent, [[{]]or advocate[[{]] [~~appointed under Section 62A-5-303~~] or, if none of those

345 persons are known, to the resident's nearest known relative; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 125**, CONFIDENTIALITY OF DRUG TESTING, by Senator P. Julander, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 86**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator D. C. Buttars, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 275**, ADOPTION AMENDMENTS, by Representative A. Hardy.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

H.B. 241, as amended, **S.B. 125**, and **S.B. 86**, read the second time by short title and placed on the Consent Calendar.

H.B. 275, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 17, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 13**, WESTERN LEGENDS ROUNDUP RESOLUTION, by Representative M. Noel, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 24:

After "Greatest" delete "Show on Earth" and insert "Earth on Show"; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 349**, DEPARTMENT OF AGRICULTURE AND FOOD AUDIT REQUIREMENTS, by Representative C. Buttars, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 15:
After “auditor;” delete “and” and insert:
“► amends provision relating to the auditing of the Utah Dairy Commission’s accounts so that the accountant performing the audit is selected by the commission rather than the commissioner; and”
2. Page 3, Line 65:
After “accountant” reinstate “selected by the” and after “[~~commissioner~~]” insert “commission” and reinstate “and approved by the state auditor”; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 283**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Representative D. Ure, be replaced and reports a favorable recommendation on **1st Sub. H.B. 283**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS with the following amendments:

1. Page 16, Line 471:
After the word “the” insert “registration of weights and measures users and” and after “issuance of” delete “a weights and measures”
2. Page 16, Line 472:
Delete “registration to” and insert “certification of” and before “to” delete “users” and insert “devices”
3. Page 17, Line 498:
After “user:” delete “and”
4. Page 17, Line 499:
After “date” delete “:” and insert “; and”
5. Page 17, Line 499:
After Line 499 insert “(c) the number and type of weights and measures devices to be certified.”; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 146**, COUNTY COOPERATIVE AGREEMENTS WITH STATE FOR FIRE PROTECTION, by Representative C. Buttars; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 324**, SAFE DRINKING WATER ACT AMENDMENT, by Representative C. Moss; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 119**, FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT, by Representative D. Ure, be replaced and favorably recommends **1st Sub. H.B. 119**, FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT.

Craig W. Butters, Chair

Reports filed. On motion of Representative Butters, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.C.R. 13, as amended, and **H.B. 349**, as amended, read the second time by short title and placed on the Consent Calendar.

Sub. H.B. 283, as amended, **H.B. 146**, **H.B. 324**, and **Sub. H.B. 119**, read the second time by short title and placed on the calendar for third reading.

Mr. Speaker:

February 16, 2004

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 108**, INSURANCE AND RETIREMENT FOR CHARTER SHCOOL EMPLOYEES, by Representative M. Newbold; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 263**, STATE RETIREMENT SYSTEM AMENDMENTS, by Representative B. King.

David Clark, Chair

H.B. 108 and **H.B. 263** read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 248, DISCLOSURE OF HIGHER EDUCATION COSTS, read the third time by short title and placed on its final passage.

H.B. 248, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-----------|-------------|--------------|------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|-------|----------|--------|
| Bryson | Kiser | Lockhart | Morley |
| M. Stephens | | | |

H.B. 248, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 10, JOINT RESOLUTION REAFFIRMING THE STATE OF UTAH'S COMMITMENT TO THE CONSTITUTION AND THE BILL OF RIGHTS, read the third time by short title and placed on its final passage.

H.J.R. 10, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |

| | | | |
|----------|--------------|------------|-----------|
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|-------|-------------|
| Bryson | Gowans | Kiser | M. Stephens |
|--------|--------|-------|-------------|

H.J.R. 10, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 97, PROTECTIVE ORDER AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 97, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

Bryson Kiser Peterson Philpot

H.B. 97, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 16, RESOLUTION AMENDING RULES OF CIVIL PROCEDURE – JUDGMENT, read the third time by short title and placed on its final passage.

Representative Curtis proposed the following amendment:

- 1. Page 1, Line 16:
Delete “defendant” and insert “plaintiff”

Representative Curtis’ motion to amend passed on a voice vote.

H.J.R. 16, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

Bryson Christensen Daniels Lockhart
Peterson M. Stephens

H.J.R. 16, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 128, AMENDMENTS TO OPERATING UNDER THE INFLUENCE, read the third time by short title and placed on its final passage.

On motion of Representative Love, the House voted to delete **H.B. 128** in title and body and insert **2nd Sub. H.B. 128** in lieu thereof.

2nd Sub. H.B. 128 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|------------|-------------|----------|-----------|
| Bennion | Bourdeaux | S. Clark | Duckworth |
| Goodfellow | M. Stephens | | |

2nd Sub. H.B. 128 transmitted to the Senate for its consideration.

* * *

H.B. 124, SMALL CLAIMS COURT JURISDICTION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Curtis proposed the following amendment:

1. Page 2, Line 48–50:
Delete lines 48 through 50 and renumber accordingly.
2. Page 2, Line 53:
After “with” insert “the Utah Rules of Small Claims Procedure as promulgated by the” and after “Supreme Court” delete the rest of the line.

Representative Curtis’ motion to amend passed on a voice vote.

H.B. 124, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|-------------|
| Bennion | Bowman | Gowans | Hendrickson |
| McCartney | | | |

H.B. 124, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Biskupski, the House voted to uncircle **H.B. 227**.

H.B. 227, MIDWIFE CERTIFICATION ACT, was before the House on its final passage.

Representative Last proposed the following amendment:

- 1. Page 10, Lines 303 through 305

303 ~~[[Nothing]]~~ Except as provided in Subsection 58-77-501, nothing in this chapter abridges, limits, or changes in any way the right of parents to

304 deliver their baby where, when, how, and with whom they choose, regardless of certification

305 under this chapter.

- 2. Page 11, Lines 320a through 320b
House Committee Amendments
2-4-2004:

320a ~~Ĥ~~ (2) EXCEPT AS PROVIDED IN SUBSECTIONS (1)(A) AND (B), IT IS LAWFUL , until January 1, 2007, TO PRACTICE

320b MIDWIFERY IN THIS STATE WITHOUT BEING CERTIFIED UNDER THIS CHAPTER. ~~Ĥ~~

Representative Last’s motion to amend failed on a voice vote.

H.B. 227, as amended, then passed on the following roll call:

Yeas, 46; Nays, 28; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Alexander | Anderson | Barrus |
| Becker | Bennion | Bigelow | Biskupski |
| Bourdeaux | Bowman | Buffmire | Bush |
| Buttars | Buxton | Daniels | Dee |
| Dillree | Donnelson | Duckworth | Ferrin |
| Frank | Goodfellow | Gowans | Hansen |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| Moss | Murray | Newbold | Peterson |
| Seitz | Styler | Thompson | Ure |
| Wallace | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|----------|---------|
| Adams | S. Allen | Bird | Bryson |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dunnigan | Ferry |
| Hardy | Harper | Hughes | Kiser |
| Last | Lawrence | McGee | Morgan |
| Morley | Noel | Pace | Philpot |
| Shurtliff | G. Snow | Urquhart | Webb |

Absent or not voting was: Representative

Dougall

H.B. 227, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 18, 2004, at 10:00 a.m.

THIRTY–FIRST DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 11:05 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Jack Seitz.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 17, 2004

The Senate passed, as amended, **S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 52**, INSURANCE AMENDMENTS – LOSS HISTORIES AND INQUIRIES, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 166**, OFF–HIGHWAY VEHICLE REGISTRATION PROVISIONS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 155**, COUNTY MENTAL HEALTH AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 238**, INDIVIDUAL INCOME TAX – EARNED INCOME TAX CREDIT, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 219**, AMENDMENTS TO JUSTICE COURT OPERATIONS, by Senator E. Mayne, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 48**, **S.B. 52**, **Sub. S.B. 166**, **S.B. 155**, **S.B. 238**, and **S.B. 219**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 17, 2004

The Senate refuses to recede from its amendments to **1st Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative

C. Frank, and has appointed a Conference Committee consisting of Senators J. Evans, Stephenson, and Hale to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Frank, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Frank, Curtis, and Becker.

* * *

Mr. Speaker: February 17, 2004
The Senate transmits **S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS**, by Senator L. Hillyard, for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: Corrected February 17, 2004
The Joint Conference Committee comprised of Senators Hillyard, Waddoups, and Mayne, and Representatives. Dillree, Harper, and Hendrickson, recommends **S.J.R. 4, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS**, by Senator L. Hillyard, with the following amendments:

1. Page 4, Lilac copy 2–5–2004
Incorporate the House amendments
2. Page 4, Line 96c Lilac copy
After “NOTE,” delete “OR AN ALTERNATE FISCAL NOTE”

Lyle W. Hillyard, Senate Chair
Marda Dillree, House Chair

Report filed. On motion of Representative Dillree, the House voted to adopt the Conference Committee report to **S.J.R. 4**.

S.J.R. 4, as amended, then passed on the following roll call:

Yeas, 64; Nays, 2; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | |
|--------|---------|
| Morley | Philpot |
|--------|---------|

Absent or not voting were: Representatives

| | | | |
|------------|-----------|--------|----------|
| Alexander | Bennion | Dayton | Dunnigan |
| Goodfellow | McCartney | McGee | Thompson |
| Ure | | | |

S.J.R. 4, as amended, transmitted to the Senate for consideration.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

February 16, 2004

The Joint Conference Committee comprised of Senators Thomas Hatch, Beverly Evans, and Gene Davis, and Representatives Michael E. Noel, David Ure, and James R. Gowans, recommends **1st Sub. S.B. 23**, AMENDMENTS TO MUNICIPAL GOVERNMENT, by Senator T. Hatch, with the following amendments:

- 1. Page 5, Line 125:

After “an appeal” insert “and the standard of review”

Thomas Hatch, Senate Chair
 Michael E. Noel, House Chair

Report filed. On motion of Representative Noel, the House voted to adopt the Conference Committee report on **Sub. S.B. 23**.

Sub. S.B. 23, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|--------|----------|
| Alexander | Bennion | Dayton | Dunnigan |
| Goodfellow | McCartney | | |

Sub. S.B. 23, as amended, transmitted to the Senate for consideration.

CONSENT CALENDAR

S.B. 46, SUNSET DATE EXTENSION OF DIVISION OF OIL, GAS AND MINING, read the third time by short title and placed on its final passage.

S.B. 46 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|------------|------------|-----------|----------|
| Alexander | Bennion | Dayton | Dunnigan |
| Goodfellow | B. Johnson | McCartney | |

S.B. 46 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 120, CHILD WELFARE FUNDING FOR IN-HOME SERVICES, read the third time by short title and placed on its final passage.

H.B. 120, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|-------------|-------------|----------|--------------|
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Ferrin | Ferry | Frank | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|----------|------------|
| Alexander | Bennion | Dunnigan | Goodfellow |
| McCartney | | | |

H.B. 120, as amended, transmitted to the Senate for its consideration.

* * *

S.B. 112, UNIFORM ANATOMICAL GIFT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Mascaro, the House voted to lift **S.B. 112** from the Consent Calendar and place it on the Third Reading calendar.

On motion of Representative Mascaro, the House voted to circle **S.B. 112**.

MISCELLANEOUS BUSINESS

On motion of Representative Wallace, the House voted to allow a bill file be opened for a concurrent resolution concerning the Utah retirement system and economic development.

On motion of Representative Anderson, the House voted to allow a bill file be opened for a concurrent resolution concerning the Tooele Army Depot.

UNFINISHED BUSINESS

On motion of Representative Adams, the House voted to uncircle **S.C.R. 3**.

S.C.R. 3, RESOLUTION SUPPORTING HILL AIR FORCE BASE, was before the House on its final passage.

S.C.R. 3 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|-------------|-----------|
| Daniels | Dunnigan | Hendrickson | McCartney |
|---------|----------|-------------|-----------|

S.C.R. 3 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Thompson, the House voted to uncircle **S.B. 12**.

S.B. 12, TRANSPORTATION OF CHILDREN FOR PARENT-TIME, was before the House on its final passage.

S.B. 12 then passed on the following roll call:

Yeas, 70; Nays, 2; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

Bryson Hogue

Absent or not voting were: Representatives

Dunnigan Hendrickson Ure

S.B. 12 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Mascaro, the House voted to uncircle **S.B. 112**.

S.B. 112, UNIFORM ANATOMICAL GIFT ACT AMENDMENTS, was before the House on its final passage.

S.B. 112 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-----------|--------------|-------------|----------|
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|-----------|---------|
| Bourdeaux | Goodfellow | McCartney | Philpot |
|-----------|------------|-----------|---------|

S.B. 112 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 109, INDIVIDUAL INCOME TAX CONTRIBUTIONS FOR EDUCATION, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 1, Line 12

12 ▶ for taxable years beginning on or after January 1, 2004, but beginning on or before December 31, 2006, authorizes a taxpayer to contribute \$1 or more to the Uniform School Fund on the

2. Page 1, Lines 14 through 19:

14 ▶ repeals obsolete language authorizing a taxpayer to contribute \$1 or more to an

15 applied technology center or applied technology service center and authorizes the

16 contribution to be made to a campus of the Utah College of Applied Technology; and

17 ~~[[►— provides that the State Tax Commission shall remove the designation for the~~

18 ~~Uniform School Fund contribution from the individual income tax form and may~~

19 ~~not collect the contribution from a taxpayer under certain circumstances; and]]~~

3. Page 2, Line 49:

49 (f) for taxable years beginning on or after January 1, 2004, but beginning on or before December 31, 2006, the Uniform School Fund.

4. Page 4, Lines 103 through 105:

103 ~~[[(vi) the contribution provided for in Subsection 59-10-549(1)(f);]]~~

104 ~~[[(vi)]] ~~[[(vii)]]~~ the contribution provided for in Section 59-10-550; or~~

105 ~~[[(vii)]] ~~[[(viii)]]~~ the contribution provided for in Section 59-10-550.1.~~

Representative Allen’s motion to amend passed on a voice vote.

###

Representative Peterson proposed the following amendment:

1. Page 1, Line 12:
Delete “Uniform” and insert “State”
2. Page 2, Line 49:
Delete “Uniform” and insert “State”
3. Page 3, Line 81 and 82:
Delete “Uniform” and insert “State”

Representative Peterson’s motion to amend failed on a voice vote.

S.B. 109, as amended, then passed on the following roll call:

Yeas, 66; Nays, 6; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|---------|--------|
| Alexander | S. Allen | Dougall | Harper |
| Hogue | Mascaro | | |

Absent or not voting were: Representatives

| | | |
|-----------|--------|---------|
| Bourdeaux | Bowman | Litvack |
|-----------|--------|---------|

S.B. 109, as amended, returned to the Senate for further consideration.

* * *

S.B. 118, JUDICIARY AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 118 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|----------|--------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bryson | Buffmire | Bush |
| Christensen | D. Clark | S. Clark | D. Cox |

| | | | |
|------------|--------------|------------|-------------|
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|-----------|--------|
| Adams | Alexander | Bourdeaux | Bowman |
| Buttars | Buxton | Moss | |

S.B. 118 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

2nd Sub. S.B. 69, PARTIAL BIRTH ABORTION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Thompson proposed the following amendment:

1. Page 1, Line 26:
After “conduct;” delete “and”
2. Page 1, Line 26:
After line 26 insert:
“► providing for contingent continuance of prior law; and”
3. Page 2, Line 41:
After line 41 insert:
“76–7–330, Utah Code Annotated 1953”
4. Page 5, Line 148:
After line 148 insert:
“Section 8. Section 76–7–330 is enacted to read:
76–7–330. Contingent continuance of prior law.

(1) If the implementation of Section 76–7–326 enacted by this bill is stayed or otherwise ordered by a court of competent jurisdiction to not be implemented, beginning on the day on which the implementation of Section 76–7–326 is stayed or otherwise ordered not to be implemented the statutes listed in Subsection (2) shall:

(a) be given effect as if this bill did not amend those statutes; and
(b) remain in effect as if not amended by this bill until the day on which a court orders that Section 76–7–326 may be implemented.

(2) Subsection (1) applies to:

(a) Section 76–7–301;

(b) Section 76–7–310.5; and

(c) Section 76–7–314.

(3) Nothing in this section prevents the Legislature from amending, repealing, or taking any other action regarding the sections listed in Subsection (2) in this or a subsequent session.”

Representative Thompson’s motion to amend passed on a voice vote.

2nd Sub. S.B. 69, as amended, then passed on the following roll call:

Yeas, 60; Nays, 11; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|----------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | Kiser | Last | Lawrence |
| Lockhart | Love | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|---------|
| Becker | Biskupski | Buffmire | Daniels |
| Jones | King | Litvack | Mascaro |
| McCartney | McGee | Moss | |

Absent or not voting were: Representatives

S. Allen Bourdeaux Bowman B. Johnson

2nd Sub. S.B. 69, as amended, returned to the Senate for further consideration.

* * *

Sub. S.B. 14, INSURANCE CODE EXEMPTION, read the third time by short title and placed on its final passage.

Sub. S.B. 14 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

S. Allen Bourdeaux Bowman Thompson

Sub. S.B. 14 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

Speaker Stephens called the House to order at 2:05 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 18, 2004

The Senate passed, **1st Sub. H.B. 200**, RECOGNITION OF FOREIGN ADOPTIONS, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. H.B. 200** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 18, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 128**, LONG-TERM CARE FACILITIES AMENDMENTS, by Senator L. Blackham; and

The Revenue and Taxation Committee recommends **H.B. 312**, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE, by Representative D. Ure, be replaced and reports a favorable recommendation on **1st Sub. H.B. 312**, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE and asks that it be placed on the Consent Calendar.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

Sub. S.B. 128, read the second time by short title and referred to the Rules Committee due to fiscal impact.

Sub. H.B. 312, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 18, 2004

The Political Subdivisions Committee recommends **H.B. 137**, CAMPAIGN FINANCE DISCLOSURE IN MUNICIPAL ELECTIONS, by Representative

J. Dougall, be replaced and favorably recommends **1st Sub. H.B. 137**, CAMPAIGN FINANCE DISCLOSURE IN MUNICIPAL ELECTIONS; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 274**, MUNICIPAL WEED ABATEMENT, by Representative M. Morley, and recommends it be placed on the Consent Calendar.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 137, read the second time by short title and placed on the calendar for third reading.

H.B. 274, read the second time by short title and placed on the Consent Calendar.

UNFINISHED BUSINESS

On motion of Representative Dayton, the House voted to uncircle **Sub. S.B. 24**.

Sub. S.B. 24, MARRIAGE RECOGNITION POLICY, was before the House on its final passage.

Representative Hansen proposed the following amendment:

1. Page 1, Lines 8 through 9

Senate 2nd Reading Amendments
1-29-2004

8 This bill states that the policy of this state is to only recognize as a marriage the union

9 between [[a]] one man and [[a]] one woman.

2. Page 1, Line 13

Senate 2nd Reading Amendments
1-29-2004:

13 ► adds the requirement that applicants for a marriage license be [[a]] one man and [[a]] one woman.

3. Page 2, Lines 28 through 29:

28 (1) (a) It is the policy of this state to recognize as marriage only the legal union of [[a]] one

29 man and [[a]] one woman as provided in this chapter.

4. Page 2, Lines 38 through 40:

38 (1) A marriage which is not solemnized according to this chapter shall be legal and

39 valid if a court or administrative order establishes that it arises out of a contract between [~~two~~

40 ~~consenting parties~~] [[a]] one man and [[a]] one woman who:

5. Page 2, Lines 55 through 56:

55 (1) A marriage license may be issued by the county clerk to [[a]] one man and [[a]] one woman only

56 after an application has been filed in his office, requiring the following information:

Representative Hansen's motion to amend failed on the following roll call:

Yeas, 17; Nays, 54; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|------------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Jones | King |
| Litvack | McGee | Morgan | Moss |
| Shurtliff | | | |

Voting in the negative were: Representatives

| | | | |
|--------------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morley | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|------|-----|
| Bryson | McCartney | Noel | Ure |
|--------|-----------|------|-----|

Sub. S.B. 24 then passed on the following roll call:

Yeas, 62; Nays, 12; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morgan | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|-----------|----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Hansen | Jones | King |
| Litvack | McCartney | McGee | Moss |

Absent or not voting was: Representative

Bryson

Sub. S.B. 24 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 34, OCCUPATIONAL THERAPISTS AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 34 then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Voting in the negative were: Representatives

Philpot Thompson

Absent or not voting were: Representatives

| | | | |
|--------|-------------|--------|---------|
| Adams | Bryson | Dayton | Dillree |
| Ferrin | Hendrickson | Love | Noel |

S.B. 34 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 43, RECREATIONAL THERAPY PRACTICE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 43, as amended, then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-------------|------------|--------------|------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

Morley Thompson

Absent or not voting were: Representatives

Bryson Buffmire Dillree Dunnigan
Ferrin Moss Noel Philpot

S.B. 43, as amended, returned to the Senate for further consideration.

* * *

S.B. 116, COUNTY RECORDER AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **S.B. 116**.

* * *

Sub. S.J.R. 5, RESOLUTION URGING CONGRESS TO ADDRESS CITIZEN CHILDREN OF UNDOCUMENTED PARENTS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 2, Lines 45–56:
Delete lines 45 and 46.

Representative Bigelow’s motion to amend passed on a voice vote.

Sub. S.J.R. 5, as amended, then passed on the following roll call:

Yeas, 39; Nays, 31; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|------------|
| S. Allen | Anderson | Becker | Bennion |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Buxton | D. Clark | S. Clark | D. Cox |
| Daniels | Duckworth | Ferry | Goodfellow |
| Gowans | Hansen | Hendrickson | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Lawrence | Litvack | Lockhart | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Seitz | Shurtliff |
| Styler | Ure | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|------------|
| Aagard | Adams | Alexander | Barrus |
| Bigelow | Bird | Bryson | Bush |
| Buttars | Christensen | Dayton | Dee |
| Donnelson | Dougall | Dunnigan | Frank |
| Hardy | Harper | Hughes | B. Johnson |
| Kiser | Last | Love | Morley |
| Newbold | Pace | Peterson | Philpot |
| G. Snow | Thompson | Wallace | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|--------|----------|
| Curtis | Dillree | Ferrin | Urquhart |
| Webb | | | |

Sub. S.J.R. 5, as amended, returned to the Senate for further consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 18, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

S.B. 52 Insurance Amendments – Loss Histories and Inquiries
(Sen. T. Hatch)

EDUCATION

S.C.R. 4 Resolution Recognizing 50th Anniversary of Landmark Case of Brown V. Board of Education (Sen. J. Evans)

GOVERNMENT OPERATIONS

H.B. 287 Government Records Access and Management Act Revisions (Rep. D. Aagard)

HEALTH AND HUMAN SERVICES

H.B. 303 Child Welfare Revisions (Rep. S. Mascaro)
S.B. 155 County Mental Health Amendments (Sen. G. Davis)

JUDICIARY

S.B. 219 Amendments to Justice Court Operations (Sen. E. Mayne)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

S.B. 48 Uniform Firearm Laws (Sen. M. Waddoups)

POLITICAL SUBDIVISIONS

H.B. 311 Redevelopment Agency Amendments (Rep. J. S. Adams)

REVENUE AND TAXATION

H.B. 260 Tobacco Fund Allocation Amendments (Rep. J. Seitz)
H.B. 345 Earned Income Tax Credit (Rep. J. Biskupski)
S.B. 238 Individual Income Tax – Earned Income Tax Credit (Sen. T. Hatch)

TRANSPORTATION

H.B. 132 Driver License Amendments (Rep. D. Ure)
H.B. 322 Golf Carts Allowed on Certain Highways (Rep. C. Moss)
1st Sub. S.B. 166 Off-highway Vehicle Registration Provisions (Sen. T. Hatch)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 3:40 p.m.

Speaker Stephens called the House to order at 3:50 p.m.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle **S.C.R. 1**.

S.C.R. 1, CONCURRENT RESOLUTION APPROVING SOLID WASTE PERMIT, was before the House on its final passage.

S.C.R. 1 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|---------|---------|
| Bryson | Dillree | Newbold | Philpot |
|--------|---------|---------|---------|

S.C.R. 1 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 120, RESIDENTIAL PROPERTY TAX EXEMPTION, read the third time by short title and placed on its final passage.

S.B. 120 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|---------|-----------|
| Bourdeaux | Bryson | Dillree | McCartney |
| Newbold | Philpot | | |

S.B. 120 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Morgan, the House voted to uncircle **H.J.R. 5**.

H.J.R. 5, JOINT RULES RESOLUTION APPROPRIATION SUBCOMMITTEE MEETINGS, was before the House on its final passage.

On motion of Representative Morgan, the House voted to delete **H.J.R. 5** in title and body and insert **Sub. H.J.R. 5** in lieu thereof.

On motion of Representative Morgan, the House voted to circle **Sub. H.J.R. 5**.

* * *

On motion of Representative Kiser, the House voted to uncircle **H.B. 125**.

H.B. 125, COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS, was before the House on its final passage.

H.B. 125, as amended, then passed on the following roll call:

Yeas, 49; Nays, 20; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|------------|--------------|
| Adams | Anderson | Barrus | Becker |
| Bennion | Bigelow | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | Curtis |
| Daniels | Dee | Donnelson | Duckworth |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | McCartney |
| McGee | Moss | Murray | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Thompson | Urquhart | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|----------|-------------|
| Agard | Alexander | S. Allen | Bird |
| Christensen | D. Cox | Dayton | Dougall |
| Dunnigan | Ferrin | Harper | Hendrickson |
| Hughes | Lockhart | Love | Morgan |
| Morley | Styler | Ure | Wallace |

Absent or not voting were: Representatives

| | | | |
|---------|---------|--------|---------|
| Bryson | Dillree | Gowans | Mascaro |
| Newbold | Philpot | | |

H.B. 125, held for possible reconsideration.

* * *

On motion of Representative Last, the House voted to uncircle **Sub. H.B. 100**.

Sub. H.B. 100, SCHOOL PROFESSIONAL DAYS, was before the House on its final passage.

Representative Last proposed the following amendment:

- 1. Page 1, Line 16:
Delete "27.5" and insert "22"
- 2. Page 2, Line 40:
Delete "27.5" and insert "22"

Representative Last's motion to amend passed on a voice vote.

###

Representative Allen proposed the following amendment:

- 1. Page 2, Line 41:
After "plan" insert ", after parental approval"

Representative Allen's motion to amend passed on a voice vote.

Sub. H.B. 100, as amended, then passed on the following roll call:

Yeas, 51; Nays, 21; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|--------------|
| Adams | Alexander | S. Allen | Becker |
| Bennion | Bird | Bowman | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Ferrin | Ferry | Frank | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|---------|
| Aagard | Anderson | Barrus | Bigelow |
| Biskupski | Bourdeaux | Buffmire | Dougall |

| | | | |
|----------|------------|------------|----------|
| Dunnigan | Goodfellow | B. Johnson | Jones |
| Litvack | McCartney | McGee | Morgan |
| Morley | Moss | Shurtliff | Thompson |
| Ure | | | |

Absent or not voting were: Representatives

| | | |
|--------|--------|---------|
| Bryson | D. Cox | Philpot |
|--------|--------|---------|

Sub. H.B. 100, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Becker, the House voted to uncircle **Sub. H.B. 116**.

Sub. H.B. 116, FACILITIES WITH REGIONAL IMPACT, was before the House on its final passage.

On motion of Representative Becker, the House voted to delete **Sub. H.B. 116** in title and body and insert **2nd Sub. H.B. 116** in lieu thereof.

2nd Sub. H.B. 116 then passed on the following roll call:

Yeas, 70; Nays, 2; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

| | | | |
|--------------|------------|-----------|-------------|
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Voting in the negative was: Representative
Bird

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|---------|---------|
| Alexander | Biskupski | Newbold | Philpot |
| M. Stephens | | | |

H.B. 249, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 90, ACCESS TO CHILD WELFARE HEARINGS, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to delete **H.B. 90** in title and body and insert **Sub. H.B. 90** in lieu thereof.

Sub. H.B. 90 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |

| | | | |
|-----------|-----------|-------------|-----------|
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

Hardy E. Hutchings M. Stephens

Sub. H.B. 90 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 105, CONTINUING EDUCATION FOR CONTRACTORS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 4, Line 94
House Committee Amendments
dated 2-9-2004:
After "division." insert "For purposes of this section, the three additional hours of professional education requirement may be satisfied by employees or principals of the contractor completing two hours of professional education for every one hour of credit in accordance with rules made by the division."

Representative Morley's motion to amend failed on a voice vote.

Sub. H.B. 105 then failed to pass on the following roll call:

Yeas, 35; Nays, 37; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|--------|-----------|
| Adams | S. Allen | Becker | Biskupski |
| Bourdeaux | Buffmire | Bush | Buxton |

| | | | |
|-------------|------------|-----------|-------------|
| Christensen | S. Clark | Daniels | Dee |
| Duckworth | Goodfellow | Hansen | Hendrickson |
| Holdaway | Kiser | Last | Litvack |
| Love | Mascaro | McCartney | McGee |
| Moss | Murray | Newbold | Noel |
| Pace | Seitz | G. Snow | Styler |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------------|------------|---------|
| Aagard | Alexander | Anderson | Barrus |
| Bennion | Bigelow | Bird | Bowman |
| Bryson | Buttars | D. Clark | D. Cox |
| Dayton | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hardy | Harper | Hogue |
| Hughes | E. Hutchings | B. Johnson | King |
| Lawrence | Lockhart | Morgan | Morley |
| Peterson | Philpot | Thompson | Ure |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | |
|--------|-------|-----------|
| Curtis | Jones | Shurtliff |
|--------|-------|-----------|

Sub. H.B. 105, was filed.

* * *

H.B. 250, PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 250 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|--------------|-------------|-----------|----------|
| Goodfellow | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|-------|
| Becker | Bowman | Gowans | Jones |
| Shurtliff | | | |

H.B. 250 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 123, DRUG LAB CLEANUP AND DISCLOSURE, read the third time by short title and placed on its final passage.

Sub. H.B. 123 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|----------|----------|----------|-------------|
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-------|-------|-----------|
| Adams | Jones | Shurtliff |
|-------|-------|-----------|

Sub. H.B. 123 transmitted to the Senate for its consideration.

* * *

H.B. 39, SPECIAL FUNCTIONS OFFICERS FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, read the third time by short title and placed on its final passage.

On motion of Representative Philpot, the House voted to circle **H.B. 39**.

* * *

H.B. 118, BRAND INSPECTION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 118 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

Adams Jones Morley Shurtliff

H.B. 118 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Philpot, the House voted to uncircle **H.B. 39**.

H.B. 39, SPECIAL FUNCTIONS OFFICERS FOR THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, was before the House on its final passage.

Representative Wallace proposed the following amendment:

1. Page 2, line 33:
House Committee Amendment
dated 2-9-2004:
After "System" insert "and is not authorized to carry a firearm as a function of being designated a special function officer"

Representative Wallace's motion to amend passed on a voice vote.

#

On motion of Representative Philpot, the House voted to reconsider its action on the amendment by Representative Wallace.

Representative Wallace proposed the following amendment:

1. Page 2, line 33:
House Committee Amendment
dated 2-9-2004:
After "System" insert "and is not authorized to carry a firearm as a function of being designated a special function officer"

Representative Wallace's motion to amend failed on a voice vote.

H.B. 39 then failed to pass on the following roll call:

Yeas, 22; Nays, 48; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------|----------|---------|
| Aagard | Barrus | Bennion | Bigelow |
| Bourdeaux | Bowman | Buffmire | D. Cox |

| | | | |
|----------|----------|----------|--------------|
| Dunnigan | Hardy | Holdaway | E. Hutchings |
| King | Lawrence | Litvack | Love |
| Newbold | Pace | Philpot | Seitz |
| Styler | Wallace | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|-------------|
| Adams | Alexander | S. Allen | Anderson |
| Bird | Biskupski | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Hughes | B. Johnson | Kiser |
| Last | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Peterson | G. Snow | Thompson |
| Ure | Urquhart | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|-------|-------|--------|
| Becker | Frank | Jones | Morley |
| Shurtliff | | | |

H.B. 39, was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 19, 2004, at 9:30 a.m.

THIRTY-SECOND DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 9:40 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Greg Curtis.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 18, 2004

The Senate passed, as amended, **S.B. 39**, STATE AND SCHOOL RECOGNITION OF CESAR CHAVEZ, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 40**, CESAR CHAVEZ SCHOLARSHIP PROGRAM, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 49**, COMPETENCY TO BE EXECUTED – AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 161**, JUDICIAL CONDUCT COMMISSION, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 168**, DRIVER LICENSE RELATED AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 39**, **S.B. 40**, **S.B. 49**, **S.B. 161**, and **S.B. 168**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 18, 2004

The Senate adopted the Joint Conference Committee Report dated February 18, 2004, and passed **1st Sub. S.B. 23**, AMENDMENTS TO MUNICIPAL GOVERNMENT, by Senator T. Hatch, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated February 18, 2004, and passed **S.J.R. 4**, JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 23** and **S.J.R. 4** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

INTRODUCTION OF RESOLUTION

H.C.R. 14, Resolution Recognizing Dugway Proving Ground, Tooele Army Depot, Deseret Chemical Depot, Utah National Guard, and United States Military Reserves (E. Anderson), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, under suspension of the rules, the House voted to lift **H.C.R. 14** from the Rules Committee, consider it read the second time by short title and placed at the top of the House Third Reading Calendar.

CONSENT CALENDAR

S.B. 65, COUNTY CLASSIFICATION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 65, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |

| | | | |
|----------|-------------|--------------|------------|
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | McCartney |
| McGee | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------|---------|--------|
| Bourdeaux | Jones | Mascaro | Morgan |
| Ure | | | |

S.B. 65, as amended, returned to the Senate for further consideration.

* * *

S.B. 142, VALIDITY OF MARRIAGE LICENSES, read the third time by short title and placed on its final passage.

S.B. 142 then passed on the following roll call:

Yeas, 64; Nays, 5; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|---------|----------|
| Donnelson | Morley | Philpot | Thompson |
| Urquhart | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|------|-----------|--------|
| Alexander | Bird | Bourdeaux | Gowans |
| Noel | Ure | | |

S.B. 142 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.J.R. 23, RESOLUTION URGING STUDY OF INCENTIVES FOR FILM INDUSTRY PRODUCTION IN UTAH, read the third time by short title and placed on its final passage.

H.J.R. 23 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|--------|
| Alexander | Bourdeaux | Bryson | Gowans |
| Ure | | | |

H.J.R. 23 transmitted to the Senate for its consideration.

* * *

S.B. 152, DIVISION OF COMMUNITY DEVELOPMENT NAME CHANGE, read the third time by short title and placed on its final passage.

S.B. 152 then passed on the following roll call:

Yeas, 62; Nays, 10; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dee | Donnelson | Duckworth |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|---------|---------|
| Bennion | Dayton | Dillree | Ferrin |
| Frank | Lockhart | Morley | Philpot |
| Thompson | Urquhart | | |

Absent or not voting were: Representatives

| | | |
|-----------|---------|---------|
| Bourdeaux | Daniels | Dougall |
|-----------|---------|---------|

S.B. 152 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 293, REPEAL OF NATIONAL GUARD EFFICIENCY BOARDS, read the third time by short title and placed on its final passage.

H.B. 293 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|-----------|---------|
| S. Allen | Bourdeaux | Daniels |
|----------|-----------|---------|

H.B. 293, transmitted to the Senate for its consideration.

* * *

H.B. 129, CHILD PROTECTION TEAM MEETINGS, read the third time by short title and placed on its final passage.

H.B. 129 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |

| | | | |
|--------------|------------|-----------|-------------|
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|-----------|---------|
| S. Allen | Bourdeaux | Daniels |
|----------|-----------|---------|

H.B. 129, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **S.B. 11**.

S.B. 11, GUIDELINES FOR LOCAL MATCHING DOLLARS FOR TRANSPORTATION PROJECTS, was before the House on its final passage.

S.B. 11 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |

| | | | |
|---------|----------|-------------|----------|
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|---------|---------|
| S. Allen | D. Clark | Daniels | Dillree |
|----------|----------|---------|---------|

S.B. 11 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

4th Sub. S.B. 82, DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND, read the third time by short title and placed on its final passage.

4th Sub. S.B. 82, as substituted, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-------------|------------|
| Daniels | Dillree | Hendrickson | B. Johnson |
| Philpot | | | |

4th Sub. S.B. 82, as substituted, returned to the Senate for further consideration.

* * *

Sub. S.B. 20, DRIVING UNDER THE INFLUENCE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **Sub. S.B. 20**.

* * *

S.B. 70, HEALTH CARE FACILITY LICENSING EXEMPTION, read the third time by short title and placed on its final passage.

S.B. 70 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|------|-------|
| Biskupski | Daniels | King | Kiser |
| McCartney | Philpot | | |

S.B. 70 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

2nd Sub. S.B. 88, UNIFORM BUILDING STANDARDS ACT – MANUFACTURED HOUSING AMENDMENTS, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 88 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-------|--------|---------|
| Kiser | Morley | Philpot |
|-------|--------|---------|

2nd Sub. S.B. 88 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 129, COMMUNITY ASSOCIATIONS, read the third time by short title and placed on its final passage.

Representative Webb proposed the following amendment:

- 1. Page 2, Lines 53 through 54:

53 (2) (a) Except as provided in Subsection (2)(b), “association” means a corporation~~[[]]~~

54 [[~~unincorporated association,~~]] or other legal entity, each member of which:

- 2. Page 5, Lines 139 through 143:

139 (b) The sale or foreclosure described in Subsection (2)(a) shall be conducted in the

140 same manner as foreclosures in:

141 [[~~(i) deeds of trust;~~]]

142 [[~~(ii)~~]] (i) mortgages; or

143 [[~~(iii)~~]] (ii) any other manner permitted by law.

Representative Webb’s motion to amend passed on a voice vote.

Representative Dillree declared a conflict of interest because she is a member of a homeowner’s community.

S.B. 129, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |

| | | | |
|-----------|----------|---------|-------------|
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|---------|--------|-----|
| Bennion | Morley | Ure |
|---------|--------|-----|

S.B. 129, as amended, returned to the Senate for further consideration.

* * *

2nd Sub. S.B. 19, SALES AND USE TAXES – EXEMPTION FOR ENERGY RELATED EQUIPMENT AND MACHINERY, read the third time by short title and placed on its final passage.

Representative Buttars proposed the following amendment:

- Page 29, Lines 867a through 867b
Senate 3rd Reading Amendments
2–3–2004

867a § (b) “WASTE ENERGY FACILITY” DOES NOT INCLUDE A FACILITY THAT INCINERATES :

867b (i) MUNICIPAL SOLID WASTE :
(ii) hospital waste as defined in 40 C.F.R. 60.51c; or
(iii) medical/infectious waste as defined in 40 C.F.R. 60.51c . §

Representative Buttars’ motion to amend passed on a voice vote.

2nd Sub. S.B. 19, as amended, then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |

| | | | |
|----------|------------|----------|-----------|
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative was: Representative
Becker

Absent or not voting were: Representatives

| | | | |
|---------|--------------|-------------|------------|
| Bennion | Curtis | Dillree | Goodfellow |
| Hogue | E. Hutchings | M. Stephens | |

2nd Sub. S.B. 19, as amended, returned to the Senate for further consideration.

* * *

Sub. S.B. 76, REVISIONS TO ROYALTY ON BRINE SHRIMP, read the third time by short title and placed on its final passage.

Sub. S.B. 76 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |

| | | | |
|----------|---------|----------|-------|
| Noel | Pace | Peterson | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative was: Representative
Bennion

Absent or not voting were: Representatives

| | | | |
|---------|------------|-------------|-------|
| Curtis | Goodfellow | Hansen | Hogue |
| Philpot | Shurtliff | M. Stephens | |

Sub. S.B. 76 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 132, UTAH CONSTRUCTION TRADES LICENSING ACT – ELECTRICAL LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 132 then passed on the following roll call:

Yeas, 43; Nays, 24; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|-----------|-------------|
| Aagard | Adams | S. Allen | Becker |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | D. Clark | S. Clark | Daniels |
| Dee | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Hendrickson |
| Holdaway | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Pace |
| Seitz | Styler | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|---------|
| Alexander | Anderson | Barrus | Bennion |
| Bush | Christensen | D. Cox | Curtis |
| Dayton | Dillree | Donnelson | Dougall |
| Harper | Hughes | Lockhart | Morley |
| Newbold | Noel | Peterson | G. Snow |
| Thompson | Ure | Urquhart | Wallace |

Absent or not voting were: Representatives

| | | | |
|------------|---------|-----------|-------------|
| Goodfellow | Gowans | Hansen | Hogue |
| B. Johnson | Philpot | Shurtliff | M. Stephens |

S.B. 132 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 91, EMERGENCY MEDICAL SERVICE PROVIDER AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 91**.

* * *

S.B. 145, COUNTY SURVEYOR AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 145 then passed on the following roll call:

Yeas, 43; Nays, 24; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buxton | D. Clark | D. Cox |
| Daniels | Dee | Dillree | Dunnigan |
| Ferry | Hardy | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Seitz |
| G. Snow | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-------------|-------------|
| Anderson | Bennion | Buttars | Christensen |
| S. Clark | Curtis | Dayton | Donnelson |
| Dougall | Duckworth | Ferrin | Frank |
| Gowans | Harper | Hendrickson | Hughes |
| Kiser | Lockhart | Morley | Peterson |
| Styler | Thompson | Ure | Urquhart |

Absent or not voting were: Representatives

| | | | |
|---------|------------|-----------|-------------|
| Bryson | Goodfellow | Hansen | Hogue |
| Newbold | Philpot | Shurtliff | M. Stephens |

S.B. 145 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 80, CAPITAL PUNISHMENT AMENDMENTS – EXCLUDED DAYS, read the third time by short title and placed on its final passage.

S.B. 80 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hendrickson | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Voting in the negative was: Representative

Hughes

Absent or not voting were: Representatives

| | | | |
|-------------|---------|------------|-----------|
| Becker | Bennion | Goodfellow | Gowans |
| Hansen | Hogue | Philpot | Shurtliff |
| M. Stephens | | | |

S.B. 80 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 119, PROSECUTION JURISDICTION AMENDMENT, read the third time by short title and placed on its final passage.

S.B. 119 then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bigelow | Bird | Biskupski |
| Bourdeaux | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |

Absent or not voting were: Representatives

| | | | |
|------------|--------|-------------|---------|
| S. Allen | Becker | Bennion | Bowman |
| Goodfellow | Gowans | Hogue | Philpot |
| Shurtliff | Webb | M. Stephens | |

S.B. 119 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 136, UNIFORM INTERSTATE FAMILY SUPPORT ACT, read the third time by short title and placed on its final passage.

S.B. 136 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | M. Stephens | |

Voting in the negative was: Representative

Thompson

Absent or not voting were: Representatives

| | | | |
|----------|---------|---------|--------|
| Becker | Bennion | Buttars | Gowans |
| Holdaway | Philpot | Webb | |

S.B. 136 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.C.R. 14, RESOLUTION RECOGNIZING DUGWAY PROVING GROUND, TOOEELE ARMY DEPOT, DESERET CHEMICAL DEPOT, UTAH NATIONAL GUARD, AND UNITED STATES MILITARY RESERVES, read the third time by short title and placed on its final passage.

H.C.R. 14 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Seitz | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|---------|--------------|------|
| Bennion | Buttars | E. Hutchings | Pace |
| Philpot | Styler | Webb | |

H.C.R. 14 transmitted to the Senate for its consideration.

* * *

H.B. 114, MONEY MANAGEMENT ACT, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 9, Line 249a (lilac copy):
After “primary” insert “reporting”
2. Page 9, Line 249f (lilac copy):
After “primary” insert “reporting”

Representative D. Clark’s motion to amend passed on a voice vote.

H.B. 114, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Urquhart | Wallace | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------------|------|
| Bourdeaux | Buttars | E. Hutchings | Pace |
| Philpot | Shurtliff | Ure | Webb |

H.B. 114, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 228, SALE, EXCHANGE, OR DONATION OF REAL PROPERTY BY STATE AGENCIES, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 228**.

* * *

H.B. 265, DESIGNATION OF COMMEMORATIVE DAYS, read the third time by short title and placed on its final passage.

H.B. 265, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-----------|---------|
| Anderson | Bennion | Bourdeaux | Buttars |
| Dee | Holdaway | Noel | Pace |
| Ure | Webb | | |

H.B. 265, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 117, INDIVIDUAL INCOME TAX – TREATMENT OF, read the third time by short title and placed on its final passage.

H.B. 117 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |

| | | | |
|------------|--------------|------------|-------------|
| D. Cox | Curtis | Daniels | Dayton |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-----------|-----|-----|
| Bourdeaux | Dee | Ure |
|-----------|-----|-----|

H.B. 117 transmitted to the Senate for its consideration.

* * *

H.B. 168, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE TAX TASK FORCE, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 1, Lines 23 through 25:

23 ▶ authorizes issues that the task force may study; ~~[[and]]~~
 ▶ requires the task force to receive a report from the governor's tax advisors during the 2004 interim and consider the findings and recommendations of the governor's tax advisors in making the task force's recommendations; and

24 ▶ requires the task force to present a final report to the Revenue and Taxation Interim

25 Committee.

2. Page 3, Line 81:

81 (3) ~~[[The]]~~ Subject to Subsection (4), the task force shall make recommendations on the following issues:

3. Page 4, Lines 90 through 94:

90 (e) any other issue the task force determines to study in accordance with Subsection

91 (2).

(4) The task force shall:

(a) receive a report from the governor’s tax advisors during the 2004 interim; and

(b) consider the findings and recommendations of the governor’s tax advisors in making the task force’s recommendations as required by Subsection (3).

92 ~~[[4]]~~ (5) The task force may meet up to eight times during the 2004 interim.

93 ~~[[5]]~~ (6) A final report, including any proposed legislation shall be presented to the Revenue

94 and Taxation Interim Committee before November 30, 2004.

Representative Allen’s motion to amend passed on a voice vote.

H.B. 168, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Daniels | Dayton | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|-------------|-----|
| Bennion | Bourdeaux | D. Cox | Dee |
| Frank | Lawrence | M. Stephens | |

H.B. 168, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

H.B. 125 having failed to be reconsidered was transmitted to the Senate.

INTRODUCTION OF BILLS

H.R. 11, Eligibility for Interscholastic Athletics Resolution (A. Hardy), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: February 19, 2004

The House Rules Committee recommends that **1st Sub. S.B. 47**, Uniform Trust Code (Sen. L. Hillyard), be lifted from the Judiciary Standing Committee and reassigned to the Business and Labor Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 259**, Special Needs Adoption – Preplacement Evaluations (Rep. A. Hardy), be replaced with **1st Sub. H.B. 259**, Special Needs Adoption – Preplacement Evaluations (Rep. A. Hardy), and further recommends it be assigned to the Health and Human Services Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

EDUCATION

| | |
|----------------|--|
| H.R. 11 | Eligibility for Interscholastic Athletics Resolution (Rep. A. Hardy) |
| S.B. 39 | State and School Recognition of Cesar Chavez (Sen. J. Evans) |
| S.B. 40 | Cesar Chavez Scholarship Program (Sen. J. Evans) |

GOVERNMENT OPERATIONS

| | |
|-----------------|--|
| H.B. 363 | Government Efficiency and Effectiveness Review Committee (Rep. P. Wallace) |
|-----------------|--|

HEALTH AND HUMAN SERVICES

| | |
|-----------------|--|
| H.B. 268 | Child Welfare Processes (Rep. M. Thompson) |
|-----------------|--|

JUDICIARY

S.B. 161 Judicial Conduct Commission (Sen. M. Waddoups)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

S.B. 49 Competency to Be Executed – Amendments
(Sen. D. Gladwell)

REVENUE AND TAXATION

H.B. 133 Property Tax – Veteran’s Exemption (Rep. D. Bush)

TRANSPORTATION

H.B. 327 Impounded Vehicles Amendments (Rep. E. Hutchings)

S.B. 168 Driver License Related Amendments (Sen. C. Walker)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.B. 370 Tourism Tax Advisory Board (Rep. T. Kiser)
Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 1:30 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 1:45 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 19, 2004

The Senate passed **S.B. 154**, SCHOOL BUILDING LEGISLATIVE TASK FORCE, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 171**, PROPERTY TAX TREATMENT OF TRANSPORTABLE FACTORY–BUILT HOUSING UNITS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 154** and **S.B. 171**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 19, 2004

The Senate concurred in the House amendments and passed **S.B. 43**, RECREATIONAL THERAPY PRACTICE AMENDMENTS, by Senator G. Davis, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 69**, PARTIAL BIRTH ABORTION AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 109**, INDIVIDUAL INCOME TAX CONTRIBUTIONS FOR EDUCATION, by Senator D. Thomas, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.J.R. 5**, RESOLUTION URGING CONGRESS TO ADDRESS CITIZEN CHILDREN OF UNDOCUMENTED PARENTS, by Senator G. Davis, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 43, 2nd Sub. S.B. 69, S.B. 109**, and **Sub. S.J.R. 5** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 19, 2004

The Senate passed, as amended, **H.B. 209**, LICENSING OF PLUMBING AND ELECTRICAL TRADES, by Representative S. Clark, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 187**, VIATICAL SETTLEMENT ACT, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 80**, WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS, by Representative B. Last, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 174**, FORENSIC MENTAL HEALTH AMENDMENTS, by Representative J. Seitz, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 180**, DEATH PENALTY PROVISIONS, by Representative S. Allen, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 209**, **Sub. H.B. 187**, **H.B. 80**, **H.B. 174**, and **H.B. 180**, placed on the calendar for concurrence.

* * *

Mr. Speaker: February 19, 2004

The Senate passed, **1st Sub. H.B. 27**, TAX COMMISSION REPORT – FEDERAL TAX LAW CHANGES, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 64**, AMENDMENTS TO LOCAL OPTION SALES TAX, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 65**, TUITION WAIVER FOR PURPLE HEART RECIPIENTS, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 75**, INDUSTRIAL ASSISTANCE FUND AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 183**, CONDITIONS FOR RELEASE AFTER NOTICE REGARDING ARREST FOR DOMESTIC VIOLENCE, by Representative P. Wallace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 193**, COMMISSION ON CRIMINAL AND JUVENILE JUSTICE, by Representative M. S. Lawrence, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 210**, LAW ENFORCEMENT EMPLOYEE BACKGROUND CHECKS, by Representative L. Pace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 204**, PUBLIC UTILITIES REVISIONS, by Representative G. Curtis, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 29**, UTAH TELEHEALTH COMMISSION AMENDMENTS, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 23**, JOINT TRANSPORTATION PLANNING AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 34**, UNLAWFUL CONTROLLED SUBSTANCES IN CORRECTIONAL FACILITIES, by Representative L. Christensen, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 27, Sub. H.B. 64, H.B. 65, H.B. 75, H.B. 183, H.B. 193, H.B. 210, H.B. 204, H.B. 29, H.B. 23, and Sub. H.B. 34** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 19, 2004

The Health and Human Services Committee recommends **H.B. 70**, GERIATRIC CARE MANAGERS, by Representative R. Lockhart, be replaced and favorably recommends **1st Sub. H.B. 70**, GERIATRIC CARE MANAGERS; and

The Health and Human Services Committee recommends **H.B. 351**, GAPS ANALYSIS OF CURRENT APPROACHES TO COVERING THE UNINSURED AND UNDERINSURED TASK FORCE, by Representative S. Mascaro, be replaced and favorably recommends **1st Sub. H.B. 351**, TASK FORCE STUDYING PRIVATE SECTOR APPROACHES TO COVERING THE UNINSURED.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

Sub. H.B. 70 and **Sub. H.B. 351**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 19, 2004

The Business and Labor Committee reports a favorable recommendation on **S.B. 144**, CORPORATIONS SOLE AMENDMENTS, by Senator L. Hillyard, with the following amendments:

1. Page 6, Lines 162 through 178:

162 ~~[[Section 8. Section 16-7-17 is enacted to read:~~

163 ~~16-7-17. Conversion or dissolution of corporation sole formed on~~
or after January

164 ~~1, 1990.~~

165 ~~(1) On or before December 31, 2006, a corporation sole formed on~~
~~or after January 1,~~

166 ~~1990 shall:~~

167 ~~(a) dissolve pursuant to Section 16-7-12; or~~

168 ~~(b) convert to a nonprofit corporation by:~~

169 ~~(i) filing an amendment to the articles of incorporation of the~~
~~corporation sole with the~~

170 ~~Division of Corporations and Commercial Code; and~~

171 ~~(ii) complying with all the requirements of incorporation under~~
~~Title 16, Chapter 6a,~~

172 ~~Utah Revised Nonprofit Corporation Act.~~

173 ~~(2) A corporation sole becomes a nonprofit corporation on the day~~
~~on which the~~

174 ~~corporation sole complies with Subsection (1)(b).~~

175 ~~(3) The Division of Corporations and Commercial Code:~~

176 ~~(a) shall use any reasonable means to notify a corporation sole~~
~~described in Subsection~~

177 ~~(1) of the requirements of this section; and~~

178 ~~(b) may dissolve a corporation sole that does not comply with this~~
~~section.]]]; and~~

The Business and Labor Committee reports a favorable recommendation on **H.B. 357**, CONTINUING EDUCATION FOR REAL ESTATE PROFESSIONALS, by Representative J. S. Adams; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 147**, CONDOMINIUM AMENDMENTS, by Senator M. Waddoups.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Morley, the reports of the Business and Labor committee were adopted.

S.B. 144, as amended, **H.B. 357**, and **S.B. 147**, read the second time by short title and placed on the calendar for third reading.

NOTICE OF BILL TABLED

Mr. Speaker:

February 19, 2004

The Business and Labor Committee has tabled **H.B. 221**, USE OF CREDIT INFORMATION FOR INSURANCE, by Representative P. Wallace, and has returned it to the Rules Committee.

Katherine M. Bryson, Chair

Report filed. **H.B. 221**, returned to the Rules Committee.

* * *

Mr. Speaker:

February 19, 2004

The Education Committee reports a favorable recommendation on **H.C.R. 11**, RESOLUTION ON HIGHER EDUCATION REMEDIAL CLASSES, by Representative M. Dillree; and

The Education Committee reports a favorable recommendation on **H.B. 152**, CHARTER SCHOOL GOVERNANCE, by Representative M. Dillree, with the following amendments:

1. Page 1, Line 16:

16 authorize and promote the establishment of charter schools [▲]
subject to approval of the State Board of Education ; and

2. Page 1, Lines 21 through 22:

21 ~~[[►—removes the State Board of Education's power to~~
~~authorize the establishment of new~~

22 ~~charter schools;]]~~

3. Page 4, Lines 100 through 102:

100 (1) The State Charter School Board shall:

101 (a) authorize and promote the establishment of charter schools,
subject to the

102 limitations in [[Section]] Sections 53A-1a-502 and 53A-1a-505 ;

- 4. Page 8, Lines 227 through 231:

227 ~~[(e)]~~ (d) The State [Board of Education] Charter School Board shall
review and, by

228 majority vote, either approve or deny the application within 60 days
after the application is

229 received by the board.

(e) The State Board of Education shall, by majority vote, within 60 days
after action by the State Charter School Board under Subsection (1)(d):

(i) approve or deny an application approved by the State Charter School
Board; or

(ii) hear an appeal, if any, of an application denied by the State Charter
School Board.

230 ~~[(d)]~~ ~~[[e)]~~ (f) The [state board's] State [[Charter School]] Board of
Education's action under Subsection

231 ~~[(2)(e)]~~ (1)[[(d)] (e) is final action subject to judicial review.

- 5. Page 10, Line 297 through Page 11, Line 307

297 ~~[[o) a statement indicating whether the school will seek~~
~~accreditation and, if so, the~~

298 ~~standards or accrediting body under which the school will seek~~
~~accreditation;~~

299 ~~(p)]~~ (o) the school's intention to create a library;

300 ~~[(q)]~~ (p) a description of school administrative and supervisory
services;

301 ~~[(r)]~~ (q) fiscal procedures to be used by the school; and

302 ~~[(s)]~~ (r) the school's policies and procedures regarding;

303 (i) employee termination;

304 (ii) employee evaluation; and

305 (iii) employment of relatives[[-and

306 ~~(iv) standards of ethical conduct for school employees and~~
~~members of the governing~~

307 ~~board]].~~

6. Page 13, Lines 371 through 376

371 (3) (a) Except as provided in Subsection (3)(b), State Board of Education rules

372 governing the following do not apply to a charter school:

373 [[~~(i) accreditation;~~]]

374 [[~~(ii)~~] (i) school libraries;

375 [[~~(iii)~~] (ii) required school administrative and supervisory services; and

376 [[~~(iv)~~] (iii) required expenditures for instructional supplies.

7. Page 14, Lines 410 through 415

410 (3) The following statutes governing public employees and officers do not apply to

411 charter schools:

412 (a) Chapter 8, Utah Orderly School Termination Procedures Act;

413 (b) Chapter 10, Educator Evaluation; and

414 (c) Title 52, Chapter 3, Prohibiting Employment of Relatives[~~; and~~

415 (d) Title 67, Chapter 16, Public Officers' and Employees' Ethics Act]].

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

H.C.R. 11 and **H.B. 152**, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILL

H.B. 358, Amendments to Access to Health Care Providers (B. Dee), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

Sub. H.J.R. 12, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **Sub. H.J.R. 12**.

* * *

H.B. 320, TRANSFERABILITY OF CREDITS AMONG HIGHER EDUCATION INSTITUTIONS, read the third time by short title and placed on its final passage.

H.B. 320, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|--------------|----------|
| Alexander | Hughes | E. Hutchings | Urquhart |
| Wallace | M. Stephens | | |

H.B. 320, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **H.B. 162**.

H.B. 162, CANDIDACY FOR MUNICIPAL ELECTIONS, was before the House on its final passage.

H.B. 162 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Webb | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|---------|--------------|
| Alexander | Holdaway | Hughes | E. Hutchings |
| Noel | Urquhart | Wallace | M. Stephens |

H.B. 162 transmitted to the Senate for its consideration.

* * *

On motion of Representative Ure, the House voted to uncircle **Sub. H.B. 228**.

Sub. H.B. 228, SALE, EXCHANGE, OR DONATION OF REAL PROPERTY, was before the House on its final passage.

Sub. H.B. 228, as amended, then passed on the following roll call:

Yeas, 60; Nays, 10; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |

| | | | |
|----------|------------|-------------|---------|
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Newbold | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Webb |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Bennion | Christensen | Donnelson | Frank |
| Lockhart | Morley | Murray | Peterson |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|--------------|---------|
| Alexander | Hughes | E. Hutchings | Wallace |
| M. Stephens | | | |

Sub. H.B. 228, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 85, HEALTH INSURANCE MANDATE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 85, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |

| | | | |
|----------|-------------|----------|----------|
| Harper | Hendrickson | Hogue | Holdaway |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Webb |

Absent or not voting were: Representatives

| | | | |
|------------|---------|-------------|--------------|
| Alexander | Gowans | Hughes | E. Hutchings |
| B. Johnson | Wallace | M. Stephens | |

H.B. 85, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 244, AMENDMENTS TO ASSET TESTING FOR MEDICAID, read the third time by short title and placed on its final passage.

H.B. 244 then passed on the following roll call:

Yeas, 41; Nays, 28; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-------------|------------|
| S. Allen | Anderson | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Buxton | Christensen | D. Clark |
| S. Clark | Daniels | Duckworth | Goodfellow |
| Gowans | Hansen | Hendrickson | Hogue |
| Holdaway | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Noel | Pace |
| Seitz | Shurtliff | Ure | Urquhart |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|--------------|------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bush | Buttars |
| D. Cox | Dayton | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Frank | Hardy | E. Hutchings | B. Johnson |
| Lockhart | Morley | Newbold | Peterson |
| Philpot | G. Snow | Styler | Thompson |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|--------|--------|
| Curtis | Dee | Harper | Hughes |
| Wallace | M. Stephens | | |

H.B. 244 transmitted to the Senate for its consideration.

* * *

H.B. 166, CONCEALED FIREARM PERMIT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Philpot proposed the following amendment:

1. Page 5, Line 122:
After “(c)” insert “knowingly and willfully”

Representative Philpot’s motion to amend passed on the following roll call:

Yeas, 39; Nays, 34; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Adams | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Ferrin | Frank | Harper |
| Hughes | E. Hutchings | Kiser | Lockhart |
| Love | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-------------|-----------|
| Aagard | S. Allen | Anderson | Becker |
| Biskupski | Bourdeaux | Buffmire | Buxton |
| D. Cox | Daniels | Dougall | Duckworth |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Last | Lawrence | Mascaro | McCartney |
| McGee | Morgan | Moss | Pace |
| Shurtliff | Styler | | |

Absent or not voting were: Representatives

| | |
|-----------|---------|
| Alexander | Litvack |
|-----------|---------|

###

Representative Daniels proposed the following amendment:

- 1. Page 4, Lines 95 and 96:
 Refer to the committee amendments dated 2-11-2004:
 Delete “storage” and reinstate [~~firing, securing, storing, caring for and maintaining of,~~]

Representative Daniels’ motion to amend passed on a voice vote.

H.B. 166, as amended, then failed to pass on the following roll call:

Yeas, 24; Nays, 50; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| S. Allen | Becker | Biskupski | Bourdeaux |
| Bowman | Buffmire | Buxton | Daniels |
| Dillree | Dunnigan | Goodfellow | Hansen |
| Hendrickson | E. Hutchings | Jones | Litvack |
| McCartney | McGee | Morgan | Moss |
| Pace | Seitz | Shurtliff | Webb |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|------------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Gowans | Hardy | Harper | Hogue |
| Holdaway | Hughes | B. Johnson | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | M. Stephens | | |

Absent or not voting was: Representative Mascaro

H.B. 166, was filed.

H.B. 165, CHILD PROTECTION REGISTRY, read the third time by short title and placed on its final passage.

Representative Alexander proposed the following amendment:

1. Page 1, Line 21:
After line 21 insert:
“AMENDS:
13–2–1, as last amended by Chapter 222, Laws of Utah 2002”

2. Page 2, Line 33:
After line 33 insert:
“Section 1. Section 13–2–1 is amended to read:
13–2–1. Consumer protection division established — Functions.
(1) There is established within the Department of Commerce the Division of Consumer Protection.
(2) The division shall administer and enforce the following:
(a) Chapter 5, Unfair Practices Act;
(b) Chapter 10a, Music Licensing Practices Act;
(c) Chapter 11, Utah Consumer Sales Practices Act;
(d) Chapter 15, Business Opportunity Disclosure Act;
(e) Chapter 20, New Motor Vehicles Warranties Act;
(f) Chapter 21, Credit Services Organizations Act;
(g) Chapter 22, Charitable Solicitations Act;
(h) Chapter 23, Health Spa Services Protection Act;
(i) Chapter 25a, Telephone and Facsimile Solicitation Act;
(j) Chapter 26, Telephone Fraud Prevention Act;
(k) Chapter 28, Prize Notices Regulation Act;
(l) Chapter 30, Utah Personal Introduction Services Protection Act;
[and]
(m) Chapter 34, Utah Postsecondary Proprietary School Act[-]; and
(n) Chapter 39, Child Protection Registry.”

Renumber remaining sections accordingly.

Representative Alexander’s motion to amend passed on a voice vote.

H.B. 165, as amended, then passed on the following roll call:

Yeas, 70; Nays, 2; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |

| | | | |
|--------------|-------------|-------------|------------|
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

Dougall Ferrin

Absent or not voting were: Representatives

Daniels Morley Philpot

H.B. 165, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess for five minutes.

Speaker Stephens called the House to order at 3:45 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 19, 2004

The Senate passed, **H.C.R. 14**, RESOLUTION RECOGNIZING DUGWAY PROVING GROUND, TOOELE ARMY DEPOT, DESERET CHEMICAL DEPOT, UTAH NATIONAL GUARD, AND UNITED STATES, by Representative E. Anderson, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.C.R. 14** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

THIRD READING CALENDAR

H.B. 121, CODE OF CRIMINAL PROCEDURE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 121, as amended, then passed on the following roll call:

Yeas, 60; Nays, 11; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Biskupski |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|-------------|--------|
| Alexander | Bennion | Bird | Curtis |
| Dougall | Dunnigan | Harper | Kiser |
| Lockhart | Newbold | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|---------|------|
| Bourdeaux | Morley | Philpot | Webb |
|-----------|--------|---------|------|

H.B. 121, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 122, PRIVATE INVESTIGATOR AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 122, as amended, then passed on the following roll call:

Yeas, 64; Nays, 8; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Noel | Pace |
| Peterson | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |

Voting in the negative were: Representatives

| | | | |
|---------|---------|-----------|-------------|
| Curtis | Dee | Dougall | Hughes |
| Newbold | Philpot | Shurtliff | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|--------|------|
| Holdaway | Morley | Webb |
|----------|--------|------|

H.B. 122, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 149, NEW AUTOMOBILE FRANCHISE ACT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 149**.

* * *

H.J.R. 20, RESOLUTION REGARDING RADIATION EXPOSURE COMPENSATION ACT, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.J.R. 20**.

* * *

H.B. 131, EMINENT DOMAIN AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 131 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|---------|-----|
| S. Allen | Bennion | Dee |
|----------|---------|-----|

H.B. 131 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Peterson, the House voted to uncircle **H.J.R. 20.**

H.J.R. 20, RESOLUTION REGARDING RADIATION EXPOSURE, was before the House on its final passage.

Representative Anderson proposed the following amendment:

1. Page 1, Lines 14 through 16:

14 ► urges the National Academies' Board on Radiation Effects Research to recommend

15 that Box Elder, Cache, Rich, Weber, Morgan, Davis, Summit,
Daggett, Salt Lake, Tooele, Wasatch, Duchesne, Uintah, Utah, Carbon,
 Juab, Grand, Emery, and Sanpete Counties be added to the list of counties
 16 whose citizens may qualify for Radiation Exposure Compensation
 Act (RECA)

2. Page 2, Lines 30 through 31:

30 WHEREAS, residents of Box Elder, Cache, Rich, Weber, Morgan,
Davis, Summit, Daggett, Salt Lake, Tooele, Wasatch, Duchesne, Uintah,
Utah, Carbon, Juab, Grand, Emery, and Sanpete Counties were also
 exposed

31 to radiation comparable to the residents of currently eligible
 counties:

3. Page 2, Lines 33 through 34:

33 urges the National Academies' Board on Radiation Effects
 Research to recommend that Box Elder, Cache, Rich, Weber, Morgan,
Davis, Summit, Daggett, Salt Lake, Tooele, Wasatch, Duchesne, Uintah,
Utah Carbon Juab,

34 Grand, Emery, and Sanpete Counties be added to the list of RECA
 eligible counties.

Representative Anderson's motion to amend passed on a voice vote.

###

Representative Noel proposed the following amendment:

1. Page 2, line 36:

After "Effects Research" insert "and to the members of Utah's
 congressional delegation"

Representative Noel's motion to amend passed on a voice vote.

Representative Buffmire declared a conflict of interest because one of her
 daughters died from cancer and the other is fighting it now.

H.J.R. 20, as amended, then passed on the following roll call:

Yeas, 75; Nays, 0; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|------------|-----------|-------------|--------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

H.J.R. 20, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Bryson, the House voted to uncircle **H.B. 170**.

H.B. 170, OFFICE OF THE ATTORNEY GENERAL, was before the House on its final passage.

Representative Daniels proposed the following amendment:

1. Page 2, Line 45:
Delete “(a)”
2. Page 2, Lines 47–48:
Delete lines 47 through 48.

Representative Daniels’ motion to amend passed on the following roll call:

Yeas, 45; Nays, 26; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|-----------|
| Aagard | Alexander | Anderson | Barrus |
| Becker | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Bush |
| D. Cox | Curtis | Daniels | Dillree |

| | | | |
|-----------|----------|-------------|------------|
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hendrickson | Hogue |
| Holdaway | Hughes | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | | | |

Voting in the negative were: Representatives

| | | | |
|------------|-------------|-----------|----------|
| Adams | Bennion | Bryson | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Dayton | Dee | Donnelson | Dougall |
| Ferrin | Frank | Hardy | Harper |
| B. Johnson | Lockhart | Murray | Newbold |
| Noel | Philpot | Thompson | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|--------------|--------|----------|
| S. Allen | E. Hutchings | Morley | Peterson |
|----------|--------------|--------|----------|

H.B. 170, as amended, then passed on the following roll call:

Yeas, 72; Nays, 1; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |

| | | | |
|----------|---------|----------|-------------|
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative
Ferry

Absent or not voting were: Representatives
S. Allen Morley

H.B. 170, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bennion, the House voted to reconsider its action on **Sub. H.B. 105**.

RECONSIDERATION OF SUB. H.B. 105

Sub. H.B. 105, CONTINUING EDUCATION FOR CONTRACTORS, was before the House upon its final passage.

On motion of Representative Adams, the House voted to circle **Sub. H.B. 105**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 20, 2004, at 10:00 a.m.

THIRTY-THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Jack Seitz, excused.

Pledge of Allegiance and prayer by Representative Mike Thompson.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Rob Bishop.

On motion of Representative Alexander, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 19, 2004

The Senate passed, as substituted, **1st Sub. S.B. 50**, RURAL PLANNING AND DEVELOPMENT, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 58**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 146**, OLYMPIC LAW REVISIONS AND CLEANUP, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 175**, PROTECTION OF PRIVATE LAWFULLY OBTAINED PROPERTY, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **Sub. S.B. 50**, **S.B. 58**, **S.B. 146**, and **2nd Sub. S.B. 175**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 19, 2004

The Senate has rejected **H.B. 46**, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, by Representative L. Shurtliff, and it is transmitted for filing; and

The Senate has rejected **1st Sub. H.B. 26**, PARENT-TIME SCHEDULE AMENDMENTS, by Representative S. Daniels, and it is transmitted for filing; and

The Senate has rejected **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE, by Representative D. Litvack, and it is transmitted for filing; and

The Senate has rejected **H.B. 190**, RESTRICTING WIRELESS TELEPHONE USE FOR SCHOOL BUS DRIVERS, by Representative N. Hendrickson, and it is transmitted for filing.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 46**, **Sub. H.B. 26**, **H.B. 60**, and **H.B. 190**, were filed.

INTRODUCTION OF BILLS

H.C.R. 10, Resolution Recognizing National Conference of State Legislatures Annual Meeting in Salt Lake City (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 302, Voluntary Contribution Act Amendments (M. Styler), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 150, JUDICIAL CONFIRMATION PROCESS AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 150, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|--------------|-------------|-------------|-----------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|----------|------------|
| Curtis | Gowans | Holdaway | B. Johnson |
| Litvack | Love | Noel | Seitz |

S.B. 150, as amended, returned to the Senate for further consideration.

* * *

S.B. 160, CONTROLLED SUBSTANCES ACT, read the third time by short title and placed on its final passage.

S.B. 160 then passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | King | Kiser |

| | | | |
|-------------|----------|---------|----------|
| Last | Lockhart | Love | Mascaro |
| Morgan | Morley | Moss | Murray |
| Newbold | Peterson | G. Snow | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|------------|-------|
| Hansen | E. Hutchings | B. Johnson | Jones |
| Lawrence | Litvack | McCartney | McGee |
| Noel | Pace | Philpot | Seitz |
| Shurtliff | Styler | | |

S.B. 160 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 241, COMMITMENT FOR MENTAL RETARDATION, read the third time by short title and placed on its final passage.

H.B. 241, as amended, then passed on the following roll call:

Yeas, 62; Nays, 1; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | King | Kiser |
| Last | Lockhart | Love | Mascaro |
| McCartney | Morgan | Moss | Murray |
| Newbold | Peterson | Philpot | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative
Morley

Absent or not voting were: Representatives

| | | | |
|----------|---------|------------|-------|
| Barrus | Hansen | B. Johnson | Jones |
| Lawrence | Litvack | McGee | Noel |
| Pace | Seitz | Shurtliff | Ure |

H.B. 241, as amended, transmitted to the Senate for its consideration.

* * *

S.B. 125, CONFIDENTIALITY OF DRUG TESTING, read the third time by short title and placed on its final passage.

S.B. 125 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| King | Kiser | Last | Lockhart |
| Love | Mascaro | McCartney | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|------------|-------|----------|---------|
| Barrus | Bird | Buxton | Hansen |
| B. Johnson | Jones | Lawrence | Litvack |
| McGee | Noel | Philpot | Seitz |
| Shurtliff | | | |

S.B. 125 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 86, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 86 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | King | Kiser | Last |
| Lockhart | Love | Mascaro | McCartney |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|---------|------------|
| Bird | Ferrin | Hansen | B. Johnson |
| Jones | Lawrence | Litvack | McGee |
| Seitz | Shurtliff | | |

S.B. 86 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.C.R. 13, WESTERN LEGENDS ROUNDUP RESOLUTION, read the third time by short title and placed on its final passage.

H.C.R. 13, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|------------|
| S. Allen | Dee | Hansen | B. Johnson |
| Jones | Litvack | McGee | Seitz |
| Shurtliff | | | |

H.C.R. 13, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 349, DEPARTMENT OF AGRICULTURE AND FOOD AUDIT REQUIREMENTS, read the third time by short title and placed on its final passage.

H.B. 349, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |

| | | | |
|-----------|-----------|--------------|------------|
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|-------|-------|
| Gowans | Litvack | McGee | Seitz |
|--------|---------|-------|-------|

H.B. 349, as amended, transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative S. Clark, the House voted to concur in the Senate amendments to **H.B. 209**, LICENSING OF PLUMBING AND ELECTRICAL TRADES.

H.B. 209, as amended by the Senate, then passed on the following roll call:

Yeas, 64; Nays, 7; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |

| | | | |
|-----------|----------|---------|----------|
| Lawrence | Lockhart | Love | Mascaro |
| McCartney | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|---------|---------|-------------|--------|
| Buttars | Dayton | Donnelson | Hughes |
| Morley | Philpot | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|-------|-------|
| Harper | Litvack | McGee | Seitz |
|--------|---------|-------|-------|

H.B. 209, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **Sub. H.B. 187**, VIATICAL SETTLEMENT ACT.

Sub. H.B. 187, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | McCartney |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-------|--------|---------|-------|
| Bird | Harper | Litvack | McGee |
| Seitz | | | |

Sub. H.B. 187, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Last, the House voted to concur in the Senate amendments to **H.B. 80**, WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS.

H.B. 80, as amended by the Senate, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------|---------|-------|--------|
| Bird | Dillree | Hardy | Harper |
| Jones | Mascaro | McGee | Seitz |

H.B. 80, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Snow, the House voted to concur in the Senate amendments to **H.B. 174**, FORENSIC MENTAL HEALTH AMENDMENTS.

H.B. 174, as amended by the Senate, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|----------|-------------|
| Buffmire | Dillree | Dunnigan | Hendrickson |
| Jones | Mascaro | McGee | Philpot |
| Seitz | M. Stephens | | |

H.B. 174, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Allen, the House voted to concur in the Senate amendments to **H.B. 180**, DEATH PENALTY PROVISIONS.

H.B. 180, as amended by the Senate, then passed on the following roll call:

Yeas, 54; Nays, 12; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|------------|-------------|
| Agard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | B. Johnson | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Shurtliff | G. Snow | Styler |
| Ure | Webb | | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Adams | Bryson | Bush | Daniels |
| Dayton | Donnelson | Hughes | Kiser |
| Morley | Peterson | Thompson | Urquhart |

Absent or not voting were: Representatives

| | | | |
|-------------|-------------|--------------|---------|
| Dillree | Hendrickson | E. Hutchings | Jones |
| Mascaro | Philpot | Seitz | Wallace |
| M. Stephens | | | |

H.B. 180, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **Sub. H.J.R. 12**.

Sub. H.J.R. 12, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION, was before the House on its final passage.

On motion of Representative Curtis, the House voted to delete **Sub. H.J.R. 12** in title and body and insert **3rd Sub. H.J.R. 12** in lieu thereof.

On motion of Representative Curtis, the House voted to circle **3rd Sub. H.J.R. 12**.

* * *

On motion of Representative Curtis, the House voted to uncircle **H.B. 149**.

H.B. 149, NEW AUTOMOBILE FRANCHISE ACT, was before the House on its final passage.

On motion of Representative Curtis, the House voted to delete **H.B. 149** in title and body and insert **Sub. H.B. 149** in lieu thereof.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 149**.

THIRD READING CALENDAR

Sub. H.B. 61, CHILD WELFARE INVESTIGATIONS, read the third time by short title and placed on its final passage.

Sub. H.B. 61 then passed on the following roll call:

Yeas, 59; Nays, 4; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hardy | Harper |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|---------|-----------|
| Biskupski | Bourdeaux | Litvack | McCartney |
|-----------|-----------|---------|-----------|

Absent or not voting were: Representatives

| | | | |
|---------|-------------|---------|-------------|
| Becker | Christensen | Dillree | Gowans |
| Hansen | Hendrickson | Hughes | Jones |
| Mascaro | Philpot | Seitz | M. Stephens |

Sub. H.B. 61 transmitted to the Senate for its consideration.

* * *

H.B. 225, PROVISION FOR EMERGENCY MEDICAL SERVICES, read the third time by short title and placed on its final passage.

H.B. 225 then passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Shurtliff | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|-----------|----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Litvack | McCartney | | |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|---------|-------|
| Hughes | Jones | Mascaro | Seitz |
| G. Snow | M. Stephens | | |

H.B. 225 transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 323, SPYWARE REGULATION, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to delete **2nd Sub. H.B. 323** in title and body and insert **3rd Sub. H.B. 323** in lieu thereof.

On motion of Representative Styler, the House voted to circle **3rd Sub. H.B. 323**.

UNFINISHED BUSINESS

On motion of Representative Adams, the House voted to uncircle **Sub. H.B. 105**.

Sub. H.B. 105, CONTINUING EDUCATION FOR CONTRACTORS, was before the House on its final passage.

Representative Adams proposed the following amendment:

1. Page 4, Lines 90 through 94
House Committee Amendments
2-9-2004

90 (21) if licensed as a contractor, not completing a three-hour core education class and an

91 additional ~~9~~ THREE ~~9~~ hours of professional education approved by the division and the

91a Construction

92 Services Commission within each two-year renewal cycle, unless an exemption has been

93 granted to the licensee by the Construction Services Commission, with the concurrence of the

94 division, except that this Subsection (21) is repealed effective July 1, 2010.

2. Page 5, Lines 130 through 135:

130 (iii) (A) A person who receives a citation or is fined for violating Subsection

131 58-55-501[(2)] (21) may also be issued a cease and desist order from engaging in work to be

132 performed by a contractor licensed under this chapter unless the person meets the continuing

133 education requirement within 30 days after receipt of the citation or fine.

134 (B) The order, if issued, shall be removed upon the person's completion of the

135 continuing education requirement.

(C) This Subsection (4)(a)(iii) is repealed effective July 1, 2010.

Representative Adams' motion to amend passed on a voice vote.

Sub. H.B. 105, as amended, then passed on the following roll call:

Yeas, 45; Nays, 24; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Agard | Adams | S. Allen | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Buxton |
| Christensen | S. Clark | Daniels | Dee |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Love |
| Mascaro | McCartney | McGee | Moss |
| Murray | Noel | Pace | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|-------------|
| Alexander | Anderson | Barrus | Bryson |
| Bush | D. Clark | D. Cox | Dayton |
| Dillree | Donnelson | Dougall | Ferrin |
| Ferry | Frank | Harper | Hogue |
| Hughes | Lawrence | Morgan | Newbold |
| Peterson | Philpot | Thompson | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|---------|----------|--------|
| Buttars | Curtis | Lockhart | Morley |
| Seitz | Wallace | | |

Sub. H.B. 105, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Urquhart, the House voted to uncircle **3rd Sub. H.B. 323**.

3rd Sub. H.B. 323, SPYWARE REGULATION, was before the House on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 2, Line 47:
Delete “(4)” and insert “(3)” and delete “(5)” and insert “(4)”
2. Page 3, Line 67:
Delete “(4)” and insert “(3)”
3. Page 3, Line 87:
Delete “(5)” and insert “(4)” and after “Subsection” delete “(4)” and insert “(3)”
4. Page 4, Line 92:
Delete “(6)” and insert “(5)”
5. Page 5, Line 130:
After “Subsection” delete “(4)” and insert “13-39-102 (3)”
6. Page 5, Line 131:
After “Subsection” delete “(4)” and insert “13-39-102 (3)”

Representative Urquhart’s motion to amend passed on a voice vote.

3rd Sub. H.B. 323, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives
Christensen Jones Seitz

3rd Sub. H.B. 323, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 20, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 279 Counterfeit Tobacco Products (Rep. E. Hutchings)

EDUCATION

S.B. 154 School Building Legislative Task Force
(Sen. H. Stephenson)

GOVERNMENT OPERATIONS

H.B. 301 Voter Registration Amendments (Rep. M. Thompson)
S.B. 58 Alcoholic Beverage Control Amendments
(Sen. J. Valentine)

HEALTH AND HUMAN SERVICES

H.B. 276 Adoption Law Revisions (Rep. R. McGee)
H.B. 358 Amendments to Access to Health Care Providers
(Rep. B. Dee)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

S.B. 146 Olympic Law Revisions and Cleanup (Sen. B. Evans)

POLITICAL SUBDIVISIONS

H.B. 140 Child and Family Services and Related Judicial Code
Amendments (Rep. L. Christensen)
H.B. 313 Redevelopment Agency Revisions (Rep. J. Gowans)
1st Sub. S.B. 50 Rural Planning and Development (Sen. T. Hatch)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 365 Disclosure of State Employees' Compensation and
Benefits (Rep. R. Bigelow)

REVENUE AND TAXATION

S.B. 171 Property Tax Treatment of Transportable Factory–Built Housing Units (Sen. C. Bramble)

TRANSPORTATION

H.B. 335 Penalty for Using Fake Identification (Rep. B. Goodfellow)

WORKFORCE SERVICES & COMMUNITY & ECONOMIC DEVELOPMENT

H.B. 302 Voluntary Contribution Act Amendments (Rep. M. Styler)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 19, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups, with the following amendments:

1. Page 2, Lines 56 through 57
Senate 2nd Reading Amendments
2–16–2004:

56 (b) “local authority or state entity” includes public school districts, public schools, and

57 state institutions of higher education.

§ (7) [~~Except as otherwise specifically provided by state law, nothing in this section prohibits an individual from restricting the possession or use of a firearm on private property. §] Individual private property under state and federal law shall not be restricted by this Section.~~; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 364**, PROFITS FROM SALE OF CRIME MEMORABILIA, by Representative S. Daniels.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

S.B. 48, as amended, and **H.B. 364**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 19, 2004

The Natural Resources, Agriculture, and Environment Committee recommends **H.J.R. 17**, RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION, by Representative M. Noel, et al, be replaced and favorably recommends **1st Sub. H.J.R. 17**, RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION.

Craig W. Buttars, Chair

Report filed. On motion of Representative Buttars, the report of the Natural Resources, Agriculture, and Environment committee was adopted.

Sub. H.J.R. 17, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 20, 2004

The Government Operations Committee reports a favorable recommendation on **H.C.R. 10**, RESOLUTION RECOGNIZING NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL MEETING IN SALT LAKE CITY, by Representative D. Hogue, et al, with the following amendments:

1. Page 2, Lines 56 through 57:

56 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National

57 Conference of State Legislatures, member states, commonwealths, and territories

James A. Ferrin, Chair

Report filed. On motion of Representative Ferrin, the report of the Government Operations committee was adopted.

H.C.R. 10, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 19, 2004

The Judiciary Committee reports a favorable recommendation on **H.B. 139**, EVIDENCE AMENDMENTS, by Representative J. Murray, and recommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on **H.B. 336**, CLAIMS ON REAL PROPERTY, by Representative G. Hughes, with the following amendments:

1. Page 1, Line 12:

12 ▶ allows a notice of the pendency of an action involving real property to be ~~[[expunged]]~~ released

2. Page 2, Line 37:

37 following may make a motion to the court in which the action is pending to ~~[[expunge]]~~ release the notice:

3. Page 2, Lines 40 through 41:

40 (3) A court shall order a notice ~~[[expunged]]~~ released if:

41 (a) the court receives a motion to ~~[[expunge]]~~ release under Subsection (2); and

4. Page 2, Line 44:

44 (4) If a court ~~[[expunges]]~~ releases a notice pursuant to this section, the claimant may not record another notice with

5. Page 2, Line 50:

50 (b) regardless of whether the court has received an application to ~~[[expunge]]~~ release under; and

The Judiciary Committee recommends **H.B. 266**, REVISIONS TO CHILD WELFARE, by Representative W. Harper, be replaced and reports a favorable recommendation on **1st Sub. H.B. 266**, REVISIONS TO CHILD WELFARE with the following amendments:

1. Page 79, Lines 2414 through 2416:

2414 Section 78-3a-403, Definitions.

2415 Section 38. Effective date.

2416 This bill takes effect on[[July]] October 1, 2004.; and

The Judiciary Committee recommends **H.B. 271**, TUITION TAX CREDITS, by Representative J. Ferrin, be replaced and reports a favorable recommendation on **1st Sub. H.B. 271**, TUITION TAX CREDITS with the following amendments:

1. Page 1, Line 25:

25 • enrolls at least [[75]] 40 students;

2. Page 2, Lines 29 through 30:

29 Monies Appropriated in this Bill:

30 [[None]] This bill appropriates \$2,000,000 from the General Fund and \$3,486,100 from the Uniform School Fund for fiscal year 2004-05 only to the State Board of Education.

3. Page 2, Line 34:

34 ENACTS:

53A-17a-150, Utah Code Annotated 1953

4. Page 3, Line 60:

60 (B) has an enrollment of less than [[75]] 40 students.

5. Page 3, Line 83:

83 back.

(4)(a) Only one taxpayer may claim a refundable tax credit for each qualifying student each taxable year.

(b) The taxpayer who claims a personal exemption for the qualifying student shall have the right to claim the refundable tax credit, unless that taxpayer authorizes another person to claim the refundable tax credit.

(c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission shall make rules to administer Subsections (4)(a) and (4)(b).

(5) For taxable years beginning on or after January 1, 2005, a refundable tax credit may not be claimed if the qualifying student was enrolled in a private school for part of the taxable year and in a Utah public school for part of the same taxable year.

6. Page 3, Line 84:

Section 2. Section 53A-17a-150 is enacted to read:

53A-17a-150. Appropriation for school districts affected by tuition tax credits.

(1) There is appropriated \$2,000,000 from the General Fund and \$3,486,100 from the Uniform School Fund for fiscal year 2004-05 only to the State Board of Education to be distributed to school districts that suffer any actual losses that can be attributed to the enactment of the tuition tax credit under Section 59-10-136.

(2) The appropriation under Subsection (1) shall be nonlapsing.

(3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the board shall make rules establishing criteria and procedures for the distribution of funds appropriated under Subsection (1).

84 Section [2] 3 . Retrospective operation.

Ben C. Ferry, Chair

Reports filed. Representative Ferry moved adoption of the reports of the Judiciary committee. Representative Allen requested division on the motion.

The report on **H.B. 139** was adopted and the bill was read the second time by short title and placed on the Consent Calendar.

The report on **H.B. 336**, as amended, was adopted and the bill was read the second time by short title and placed on the calendar for third reading.

The report on **Sub. H.B. 266**, as amended, was adopted and the bill was read the second time by short title and placed on the calendar for third reading.

The report on **Sub. H.B. 271**, as amended, failed to be adopted on the following roll call:

Yeas, 31; Nays, 39; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Alexander | Barrus | Bennion | Bryson |
| Bush | Buttars | D. Clark | S. Clark |
| Curtis | Dayton | Dillree | Donnelson |
| Dougall | Ferrin | Frank | Harper |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Lockhart | Love | Mascaro | Morley |
| Newbold | Peterson | Philpot | Thompson |
| Urquhart | Wallace | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|--------|---------|----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bigelow | Bird | Bourdeaux |

| | | | |
|---------|-------------|-----------|-----------|
| Bowman | Buffmire | Buxton | D. Cox |
| Daniels | Dee | Duckworth | Dunnigan |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| Jones | King | Last | Lawrence |
| Litvack | McCartney | McGee | Morgan |
| Moss | Murray | Pace | Shurtliff |
| G. Snow | Styler | Webb | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|------|-------|
| Biskupski | Christensen | Noel | Seitz |
| Ure | | | |

Sub. H.B. 271 remains with the Judiciary Standing Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:15 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 20, 2004

The Senate passed, as amended, **S.B. 81**, CHILD AND FAMILY SERVICES – PLEA IN ABEYANCE, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed **S.B. 184**, INTERLOCAL COOPERATION ACT AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 103**, CHILD REMOVAL AMENDMENTS, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed **S.B. 104**, SELECTION OF MENTAL HEALTH THERAPIST IN TERMINATION OF PARENTAL RIGHTS, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 173**, BAIL BOND REINSTATEMENT AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 187**, WATER CONSERVANCY DISTRICTS TRUSTEES, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 179**, EXPEDITED APPEALS IN CHILD WELFARE CASES, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 81, S.B. 184, S.B. 103, S.B. 104, Sub. S.B. 173, S.B. 187, Sub. S.B. 66**, and **Sub. S.B. 179**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 20, 2004

The Senate passed, as amended, **2nd Sub. H.B. 198**, CHILD WELFARE COURT REPORTS, by Representative M. Thompson, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 206**, CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS, by Representative M. Noel, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 198** and **2nd Sub. H.B. 206**, placed on the calendar for concurrence.

* * *

Mr. Speaker: February 20, 2004

The Senate concurred in the House amendments and passed **4th Sub. S.B. 82**, DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND, by Senator B. Evans, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 19**, SALES AND USE TAXES – EXEMPTION FOR ENERGY RELATED EQUIPMENT AND MACHINERY, by Senator L. Blackham, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 65**, COUNTY CLASSIFICATION AMENDMENTS, by Senator L. Blackham, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 129**, COMMUNITY ASSOCIATIONS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **4th Sub. S.B. 82, 2nd Sub. S.B. 19, S.B. 65, and S.B. 129** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker:

February 20, 2004

The Senate passed, **H.B. 214**, SCHOOL AND INSTITUTIONAL TRUST LANDS – CLARIFYING REFERENCES TO RULES AND POLICIES, by Representative J. Gowans, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 82**, VIRTUAL VISITATION AMENDMENTS, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 95**, CLARIFICATION OF DEPENDENT HEALTH CARE COVERAGE AMENDMENTS, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 233**, GRAZING PERMIT FEE AMENDMENTS, by Representative E. Anderson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 7**, RESOLUTION RECOGNIZING LEGISLATORS BACK TO SCHOOL WEEK, by Representative K. Holdaway, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 214, Sub. H.B. 82, H.B. 95, H.B. 233, and H.C.R. 7** was signed by the Speaker in open session, in the presence of the House,

and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 19, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 322, GOLF CARTS ALLOWED ON CERTAIN HIGHWAYS**, by Representative C. Moss, with the following amendments:

1. Page 1, Lines 13 through 14:

13 ▶ allows a municipality or county to allow golf carts on specified highways under its

14 jurisdiction ~~[[during daylight hours]]~~;

2. Page 1, Line 20:

20 ▶ requires a golf cart used on the highway to be equipped with head lamps, stop lamps and brakes;

3. Page 8, Lines 236 through 238:

236 (1) (a) In accordance with this section, a municipality or county may, by ordinance,

237 allow a golf cart to be operated on specified highways under its jurisdiction ~~[[during daylight~~

238 hours]].

4. Page 9, Lines 266 through 267:

266 equipped with:

267 (i) head lamps, tail lamps and stop lamps;

5. Page 9, Line 272:

272 (v) ~~[[braking for each wheel]] a braking system in compliance with the provisions of Section 41-6-145~~; and

The Transportation Committee reports a favorable recommendation on **H.B. 132, DRIVER LICENSE AMENDMENTS**, by Representative D. Ure; and

The Transportation Committee reports a favorable recommendation on **1st Sub. S.B. 166, OFF-HIGHWAY VEHICLE REGISTRATION PROVISIONS**, by Senator T. Hatch; and

The Transportation Committee reports a favorable recommendation on **H.B. 308**, VEHICLE RESTRAINT SYSTEM AMENDMENTS, by Representative C. Frank; and

The Transportation Committee reports a favorable recommendation on **H.B. 270**, RESIDENCE REQUIREMENTS FOR DRIVER LICENSE, by Representative M. Noel, with the following amendments:

1. Page 5, Lines 122 through 128:

122 (b) “Resident” does not include any of the following:

123 (i) a member of the military, temporarily stationed in this state;

124 (ii) an out-of-state student, as classified by an institution of higher education,

125 regardless of whether the student engages in any type of employment in this state; [[or]]

126 (iii) a person domiciled in another state or country, who is temporarily assigned in this

127 state, assigned by or representing an employer, religious or private organization, or a

128 governmental entity ; or

(iv) an immediate family member who resides with or a household member of a person listed in Subsections (22)(b)(i) through (22)(b)(iii) .;

and

The Transportation Committee reports a favorable recommendation on **H.B. 343**, PRACTICE PERMIT REQUIREMENT AMENDMENTS, by Representative R. Barrus, with the following amendments:

1. Page 1, Lines 13 through 16:

13 ~~►~~ changes the age limit for a student to obtain a practice permit from 15 years and

14 ~~nine months to 15 years and six months of age[[and increases the length of the~~

15 ~~validity of practice permits from six to nine months]];~~

16 ~~[[►— increases the application period for a class D driver license from six to nine months;]]~~

2. Page 2, Lines 49 through 50:

49 (a) not more than three attempts to pass both the knowledge and skills tests for a class

50 D license within ~~[[{]]six[[{]]~~ ~~[[nine]]~~ months of the date of the application;

3. Page 6, Lines 169 through 176:

169 (2) (a) The division, upon receiving an application, may issue an instruction permit

170 effective for one year to an applicant who is at least 15 years and six months of age and who is enrolled in a driver education program that

171 includes practice driving, if the program is approved by the State Board of Education or the

172 division, even though the applicant has not reached the legal age to be eligible for a license.

173 (b) The instruction permit entitles the applicant, while having the permit in his

174 immediate possession, to drive a motor vehicle, only if an approved instructor is occupying a

175 seat beside the applicant~~[[or in accordance with the requirements of Subsections (4) and~~

176 ~~53A-13-208(4)]].~~

4. Page 7, Line 199:

199 (c) The practice permit is valid for up to ~~[[{]]six[[{]]~~ ~~[[nine]]~~ months from the date of issuance.

5. Page 7, Lines 203 through 205:

203 (d) If an applicant has been issued a practice permit by the division, the applicant may

204 obtain an original or provisional class D license from the division upon passing the ~~[[written and]]~~

205 skills ~~[[{]]test[[{]]~~ ~~[[tests]]~~ administered by the division and reaching 16 years of age.

6. Page 11, Line 313:

313 ~~[(e)]~~ (d) The practice permit is valid for up to ~~[[{]]six[[{]]~~ ~~[[nine]]~~ months from the date of"; and

The Transportation Committee reports a favorable recommendation on **H.B. 347**, STATE HIGHWAY DESIGNATION CHANGES, by Representative M. Styler, and recommends it be placed on the Consent Calendar.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

H.B. 322, as amended, **H.B. 132**, **Sub. S.B. 166**, **H.B. 308**, **H.B. 270**, as amended, and **H.B. 343**, as amended, read the second time by short title and placed on the calendar for third reading.

H.B. 347, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 20, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 260**, TOBACCO FUND ALLOCATION AMENDMENTS, by Representative J. Seitz; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 139**, INDIVIDUAL INCOME TAX – NONRESIDENT INCOME AMENDMENTS, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 345**, EARNED INCOME TAX CREDIT, by Representative J. Biskupski, with the following amendments:

1. Page 2, Line 28:

28 59–10–136. Definitions — State earned income tax credit.

2. Page 2, Lines 29 through 34:

29 (1) As used in this section:

30 (a) “federal adjusted gross income” is as defined in Section 62, Internal Revenue Code;

31[[and]]

32 (b) “federal earned income tax credit” means the amount of the federal earned income

33 tax credit an individual is allowed for the taxable year in accordance with Section 32, Internal

34 Revenue Code[[]]; and

(c) notwithstanding Section 59–10–103, “nonresident individual” means an individual who:

(i) is not a resident of this state; and

(ii) has federal adjusted gross income derived from Utah sources as calculated under Section 59–10–117.

3. Page 2, Lines 35 through 37:

35 ~~(2)~~[[For]] Subject to Subsection (4), for taxable years beginning on or after January 1, 2005, a resident or nonresident

36 individual may claim as provided in this section a refundable earned income tax credit as

37 follows:

4. Page 3, Lines 69 through 80:

69 price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

(4) The tax credit for a nonresident individual is limited to an amount equal to the product of:

(a) the tax credit calculated under Subsection (2); and

(b) a percentage calculated by dividing the nonresident individual’s federal adjusted gross income derived from Utah sources for the taxable year, as calculated under Section 59–10–117, by the nonresident individual’s total federal adjusted gross income for that same taxable year.

70 ~~[(4)]~~ (5) A resident or nonresident individual may not claim a tax credit under this section if

71 the resident or nonresident individual’s federal adjusted gross income is greater than the

72 greatest amount of federal adjusted gross income for which a tax credit is allowed under

73 Subsection (2)(c).

74 ~~[(5)]~~ (6) A resident or nonresident individual may not carry forward or carry back the tax

75 credit provided for under this section.

76 ~~[[6]]~~ (7) In accordance with Title 63, Chapter 46a, Utah
Administrative Rulemaking Act, the
77 commission may make rules providing procedures for issuing a
refund to a resident or
78 nonresident individual for the tax credit provided for under this
section if the tax credit exceeds
79 the resident or nonresident individual's tax liability under this
chapter for the taxable year for
80 which the resident or nonresident individual claims the tax credit.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 260, S.B. 139, and H.B. 345, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 20, 2004

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 147, MUNICIPAL CODE CONDEMNATION AMENDMENTS**, by Representative L. Christensen, with the following amendments:

1. Page 2, Lines 42 through 47:

42 (3) In determining just compensation in a condemnation
proceeding under this section in a municipality located in a county of the
first class
43 where a determination of market value of what is proposed to be
taken is impractical because
44 there is no meaningful market for what is proposed to be taken, the
value shall be :
(a) presumed to
45 be the amount the owner paid to acquire ownership of what is
proposed to be taken, as adjusted
46 by a change in value due to post-acquisition deterioration and any
other factor reasonably and
47 equitably bearing on the value of what is proposed to be taken ; and
(b) determined by applying equitable considerations including:

- (i) whether the owner will be unjustly enriched;
- (ii) whether the owner acquired the property by exaction or similar method; and
- (iii) the extent to which the consideration the owner provided in acquiring the property consists of an obligation to maintain the property and whether that obligation will be assumed by the municipality because of the condemnation .; and

The Political Subdivisions Committee recommends **H.B. 311**, REDEVELOPMENT AGENCY AMENDMENTS, by Representative J. S. Adams, be replaced and reports a favorable recommendation on **1st Sub. H.B. 311**, REDEVELOPMENT AGENCY AMENDMENTS with the following amendments:

1. Page 13, Lines 374 through 375:

374 (B) the project area budget, as it is proposed to be amended, provides for tax increment

375 to be paid to the agency for more than ~~[[five]]~~ six years; and

2. Page 16, Lines 476 through 477:

476 (B) the project area budget provides for the agency to be paid tax increment for over ~~[[15]]~~ 16

477 years; and

3. Page 19, Lines 567 through 569:

567 (b) Under a project area budget adopted after June 30, 2004 that provides for tax

568 increment to be paid to the agency for over ~~[[five]]~~ six years, each school district in which the project

569 area is located shall be paid; and

The Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 15**, JOINT RESOLUTION – SUBMITTING BONDING FOR OPEN SPACE TO VOTERS, by Representative R. Becker; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 288**, PROCESS FOR SUBMITTING OPINION QUESTION TO BALLOT, by Representative R. Becker.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

H.B. 147, as amended, **Sub. H.B. 311**, as amended, **H.J.R. 15**, and **H.B. 288**, read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 145, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

- 1. Page 4, Line 96:
 Refer to the committee amendments dated 2-13-2004:
 After “(e)” delete “(i)” and after “entity” delete all the underlined language down to “2004.”

Representative Hughes’ motion to amend failed on a voice vote.

H.B. 145, as amended, then passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|--------|-------------|
| Anderson | Dayton | Gowans | Hendrickson |
| Hughes | Peterson | | |

Absent or not voting were: Representatives

| | | | |
|---------|-------|-------|--------|
| Bigelow | Dee | Jones | Morley |
| Philpot | Seitz | | |

H.B. 145, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 113, NONRESIDENT TUITION WAIVER FOR JOB CORPS STUDENTS, read the third time by short title and placed on its final passage.

H.B. 113, as amended, then passed on the following roll call:

Yeas, 39; Nays, 29; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|------------|--------------|
| Aagard | Adams | Anderson | Becker |
| Bennion | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buxton |
| Christensen | D. Cox | Daniels | Dillree |
| Duckworth | Ferry | Goodfellow | Gowans |
| Hansen | Hendrickson | Holdaway | E. Hutchings |
| B. Johnson | King | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Shurtliff |
| Styler | Ure | Wallace | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Alexander | Barrus | Bigelow | Bryson |
| Buttars | D. Clark | S. Clark | Curtis |
| Dayton | Donnelson | Dougall | Dunnigan |
| Ferrin | Frank | Harper | Hughes |
| Kiser | Last | Lockhart | Morley |
| Newbold | Noel | Pace | Peterson |
| Philpot | G. Snow | Thompson | Urquhart |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------|-------------|-------|
| S. Allen | Dee | Hardy | Hogue |
| Jones | Seitz | M. Stephens | |

H.B. 113, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Stephens, the House voted to recess until 3:40 p.m.

Speaker Stephens called the House to order at 3:50 p.m.

THIRD READING CALENDAR

H.B. 126, TEACHER CLASSIFICATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 126**.

* * *

2nd Sub. H.B. 160, MORTGAGE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 160, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | King | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Shurtliff | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|------------|--------|
| Alexander | Bourdeaux | Goodfellow | Hughes |
| Jones | Kiser | Philpot | Seitz |
| G. Snow | Thompson | | |

2nd Sub. H.B. 160, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **3rd H.J.R. 12.**

3rd Sub. H.J.R. 12, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION, was before the House on its final passage.

Representative Christensen proposed the following amendment:

1. Page 2, Lines 37–38:
Delete “or a public institution of post–secondary education”
2. Page 2, Lines 40–41:
Delete “or the public institution of post–secondary education.”

Representative Christensen’s motion to amend failed on a voice vote.

3rd Sub. H.J.R. 12 then passed on the following roll call:

Yeas, 68; Nays, 2; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

Newbold Philpot

Absent or not voting were: Representatives

| | | | |
|--------|----------|-------|-------|
| Buxton | S. Clark | Jones | Kiser |
| Seitz | | | |

3rd Sub. H.J.R. 12 transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

H.J.R. 13, CLOG AMERICA RESOLUTION, read the third time by short title and placed on its final passage.

H.J.R. 13 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|--------|-------------|----------|-----------|
| Barrus | Buxton | S. Clark | Gowans |
| Jones | Kiser | Last | McCartney |
| Seitz | M. Stephens | | |

H.J.R. 13 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **Sub. H.B. 149**.

Sub. H.B. 149, NEW AUTOMOBILE FRANCHISE ACT, was before the House on its final passage.

Sub. H.B. 149 then passed on the following roll call:

Yeas, 57; Nays, 6; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | King | Lawrence | Litvack |
| Lockhart | Mascaro | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Philpot | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|--------|--------|
| Bird | Harper | Hughes | Morley |
| Peterson | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|--------|------------|
| Barrus | Bourdeaux | Buxton | Goodfellow |
| Hardy | Jones | Kiser | Last |
| Love | McCartney | Seitz | Shurtliff |

Sub. H.B. 149 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 20, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

H.B. 310 Child Support Amendments (Rep. K. Bryson)

EDUCATION

H.B. 299 Teacher Accrual of Continuing Education Requirements
(Rep. E. Hutchings)

HEALTH AND HUMAN SERVICES

S.B. 81 Child and Family Services – Plea in Abeyance
(Sen. P. Hellewell)

S.B. 103 Child Removal Amendments (Sen. P. Hellewell)

S.B. 104 Selection of Mental Health Therapist in Termination of
Parental Rights (Sen. P. Hellewell)

JUDICIARY

1st Sub. S.B. 179 Expedited Appeals in Child Welfare Cases
(Sen. L. Hillyard)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

1st Sub. S.B. 173 Bail Bond Reinstatement Amendments (Sen. G. Bell)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

S.B. 187 Water Conservancy Districts Trustees
(Sen. H. Stephenson)

POLITICAL SUBDIVISIONS

S.B. 184 Interlocal Cooperation Act Amendments (Sen. G. Bell)

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 321 Motor Vehicle Registration Revisions (Rep. C. Bennion)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 367 Participation Allowed in State Employee Insurance
System (Rep. D. Clark)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules
Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until
February 23, 2004, at 9:30 a.m.

THIRTY–SIXTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 9:30 a.m.

Roll call showed all members present except Representative Duane Bourdeaux, excused.

Pledge of Allegiance and prayer by Representative Jackie Biskupski.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 20, 2004
The Senate requests the return of **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE, by Representative D. Litvack, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Litvack, the House voted to return **H.B. 60** to the Senate.

* * *

Mr. Speaker: February 20, 2004
The Senate passed, as amended, **S.B. 165**, WORKERS' COMPENSATION AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 165**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 20, 2004
The Senate passed, **H.B. 188**, DONATION OF SURPLUS COMPUTERS TO PERSONS WITH A DISABILITY, by Representative C. Bird, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 80**, WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS, by Representative B. Last, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 174**, FORENSIC MENTAL HEALTH AMENDMENTS, by Representative J. Seitz, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 180**, DEATH PENALTY PROVISIONS, by Representative S. Allen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 187**, VIATICAL SETTLEMENT ACT, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 209**, LICENSING OF PLUMBING AND ELECTRICAL TRADES, by Representative S. Clark, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 188**, **H.B. 80**, **H.B. 174**, **H.B. 180**, **Sub. H.B. 187**, and **H.B. 209** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONSENT CALENDAR

H.B. 274, MUNICIPAL WEED ABATEMENT, read the third time by short title and placed on its final passage.

H.B. 274 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |

| | | | |
|-------------|-----------|----------|----------|
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|--------|---------|
| Alexander | Bourdeaux | Bryson | Dillree |
| Gowans | Shurtliff | | |

H.B. 274 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 312, MUNICIPAL WEED ABATEMENT, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to lift **Sub. H.B. 312** from the Consent Calendar and place it at the top of the calendar for third reading.

THIRD READING CALENDAR

On motion of Representative Ure, the House voted to circle **Sub. H.B. 312**.

* * *

Sub. H.B. 136, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to circle **Sub. H.B. 136**.

* * *

H.B. 251, RADIO FREQUENCY IDENTIFICATION – RIGHT TO KNOW ACT, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle **H.B. 251**.

* * *

Sub. H.B. 56, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **Sub. H.B. 56**.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Jim Matheson.

On motion of Representative Alexander, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

H.B. 294, PURCHASE OF FIREARMS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 294 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|-------------|-----------|
| Bourdeaux | Curtis | Hendrickson | McCartney |
| Styler | M. Stephens | | |

H.B. 294 transmitted to the Senate for its consideration.

* * *

H.B. 295, ISSUANCE OF CONCEALED FIREARM PERMITS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

1. Page 4, Lines 109 through 112

109 (12) The division may deny, suspend, or revoke the certification of
a concealed

110 firearms instructor if the licensing authority has reason to believe
the applicant has:

111 (a) become ineligible to possess a firearm under Section 76–10–503
or federal law; [[~~or~~]]

112 (b) knowingly and willfully provided false information to the
division[[-]]; or

(c) failed to provide the instruction required for a student to obtain
general familiarity with a firearm as required in this section.

Representative Litvack's motion to amend failed on the following roll call:

Yeas, 21; Nays, 48; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|---------|-----------|--------------|
| S. Allen | Becker | Biskupski | Bowman |
| Buffmire | D. Cox | Daniels | Duckworth |
| Goodfellow | Hansen | Hogue | E. Hutchings |
| Jones | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Pace |
| Shurtliff | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|-----------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Frank | Gowans | Harper | Hendrickson |

| | | | |
|----------|----------|------------|---------|
| Holdaway | Hughes | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Love |
| Morley | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | G. Snow |
| Thompson | Ure | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|------|--------|
| Bourdeaux | Hardy | King | Styler |
| Urquhart | M. Stephens | | |

H.B. 295 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|----------|------|
| Bourdeaux | Bowman | D. Clark | Pace |
| Styler | M. Stephens | | |

H.B. 295 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Ure, the House voted to uncircle **Sub. H.B. 312**.

Sub. H.B. 312, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE, was before the House on its final passage.

Sub. H.B. 312 then passed on the following roll call:

Yeas, 61; Nays, 10; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Dougall |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Ure | Urquhart | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|---------|----------|----------|-----------|
| Bennion | Bigelow | Curtis | Donnelson |
| Frank | Hughes | Lockhart | Morley |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------|-------------|
| Bourdeaux | Ferrin | Styler | M. Stephens |
|-----------|--------|--------|-------------|

Sub. H.B. 312 transmitted to the Senate for its consideration.

* * *

On motion of Representative Morley, the House voted to uncircle **Sub. H.B. 136**.

Sub. H.B. 136, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS, was before the House on its final passage.

On motion of Representative Morley, the House voted to delete **Sub. H.B. 136** in title and body and insert **3rd Sub. H.B. 136** in lieu thereof.

3rd Sub. H.B. 136 then passed on the following roll call:

Yeas, 57; Nays, 13; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-------------|
| Aagard | Adams | S. Allen | Barrus |
| Becker | Bird | Biskupski | Bowman |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Donnelson | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Voting in the negative were: Representatives

| | | | |
|-----------|----------|----------|----------|
| Alexander | Anderson | Bennion | Bryson |
| Dayton | Dillree | Dougall | Dunnigan |
| Lockhart | Newbold | Peterson | Philpot |

Thompson

Absent or not voting were: Representatives

| | | | |
|---------|-----------|----------|--------------|
| Bigelow | Bourdeaux | Buffmire | E. Hutchings |
|---------|-----------|----------|--------------|

Styler

3rd Sub. H.B. 136 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 158, WATER SHARES IN A MUNICIPAL WATER COMPANY, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:

1. Page 8, Line 244:
After “members” insert “receiving water utility services”

Representative Ure’s motion to amend passed on a voice vote.

H.B. 158, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-----------|---------|
| Barrus | Bigelow | Bourdeaux | Daniels |
| Philpot | | | |

H.B. 158, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 138, TRESPASSING ON STATE PARK LANDS, read the third time by short title and placed on its final passage.

Representative Bennion proposed the following amendment:

1. Page 2, Line 56:
After “(a)” delete “enters onto or remains on state park lands and uses, occupies, or”

Representative Bennion’s motion to amend passed on a voice vote.

###

Representative Philpot proposed the following amendment:

1. Page 3, Line 64:
After “by” delete the rest of the line.
2. Page 3, Line 65:
Delete “to act for the division or by”

Representative Allen proposed the following substitute motion to amend:

1. Page 3, Line 64:
Delete “or apparent”

Representative Allen’s substitute motion to amend passed on a voice vote.

###

Representative B. Johnson proposed the following amendment:

1. Page 3, Lines 61 and 62:
Delete lines 61 and 62 and renumber accordingly.

On motion of Representative Ferry, the House voted to circle **H.B. 138**.

H.B. 273, TAX AND CHARGE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 2, Line 28:
After “▶” delete “repeals language requiring” and insert “requires”
2. Page 2, Line 29:
After “Account” insert “as of July 1, 2004”
3. Page 3, Line 65:
After line 65 insert:
“▶ repeals references to certain tax names;”
4. Page 3, Line 89:
After line 89 insert:
“17–31–8, as enacted by Chapter 159, Laws of Utah 2001
59–1–302, as last amended by Chapter 107, Laws of Utah 1994”
5. Page 13, Line 375:
After line 375 insert:

“Section 7. Section 17–31–8, is amended to read:

17–31–8. Tourism tax advisory boards.

(1) (a) Except as provided in Subsection (1)(b), any county that collects the following taxes shall operate a tourism tax advisory board:

- (i) the [~~transient room~~] tax allowed under Section 59–12–301; or
- (ii) the [~~tourism, recreation, cultural, and convention facilities~~] tax allowed under Section 59–12–603.

(b) Notwithstanding Subsection (1)(a), a county is exempt from Subsection (1)(a) if the county has an existing board, council, committee, convention visitor’s bureau, or body that substantially conforms with Subsections (2), (3), and (4).

(2) A tourism tax advisory board created under Subsection (1) shall consist of at least five members.

(3) A tourism tax advisory board shall be composed of any of the following members that:

- (a) are residents of the county; and
- (b) represent the local:
 - (i) hotel and lodging industry;
 - (ii) restaurant industry;
 - (iii) recreational facilities;
 - (iv) convention facilities;
 - (v) museums;
 - (vi) cultural attractions; or
 - (vii) other tourism–related industries.

(4) A tourism tax advisory board shall advise the county legislative body on the best use of revenues collected from:

- (a) the [~~transient room~~] tax allowed under Section 59–12–301; and
- (b) the [~~tourism, recreation, cultural, and convention facilities~~] tax allowed under Section 59–12–603.

(5) A member of any county tourism tax advisory board:

- (a) may not receive compensation or benefits for the member’s services; and
- (b) may receive per diem and expenses incurred in the performance of the member’s official duties.

Section 8. Section 59–1–302, is amended to read:

59–1–302. Penalty for nonpayment of sales, use, withholding, or fuels taxes — Jeopardy proceedings.

(1) The provisions of this section apply to the following taxes in this title:

- (a) [~~state and local sales and use~~] a tax under Chapter 12, [~~Parts 1 and 2~~] Part 1, Tax Collection;

(b) ~~[transient room]~~ a tax under Chapter 12, Part 2, Local Sales and Use Tax Act;

(c) a tax under Chapter 12, Part 3, Transient Room Tax;

~~[(e) resort communities]~~ (d) a tax under Chapter 12, Part 4, Resort Communities Tax;

~~[(d) public transit]~~ (e) a tax under Chapter 12, Part 5, Public Transit Tax;

~~[(e) tourism, recreation, cultural, and convention facilities]~~

(f) a tax under Chapter 12, Part 6, Tourism, Recreation, Cultural, and Convention Facilities Tax;

~~[(f) motor fuel, clean fuel, special fuel, and aviation fuel taxes under Chapter 13, Parts 2, 3, and 4; and]~~

~~[(g) withholding tax under Chapter 10, Part 4.]~~

(g) a tax under Chapter 13, Part 2, Motor Fuel;

(h) a tax under Chapter 13, Part 3, Special Fuel;

(i) a tax under Chapter 13, Part 4, Aviation Fuel; and

(j) a tax under Chapter 10, Part 4, Withholding of Tax.

(2) Any person required to collect, truthfully account for, and pay over any tax listed in Subsection (1) who willfully fails to collect the tax, fails to truthfully account for and pay over the tax, or attempts in any manner to evade or defeat any tax or the payment of the tax, shall be liable for a penalty equal to the total amount of the tax evaded, not collected, not accounted for, or not paid over. This penalty is in addition to other penalties provided by law.

(3) (a) If the commission determines in accordance with Subsection (2) that a person is liable for the penalty, the commission shall notify the taxpayer of the proposed penalty.

(b) The notice of proposed penalty shall:

(i) set forth the basis of the assessment; and

(ii) be mailed by registered mail, postage prepaid, to the person's last-known address.

(4) Upon receipt of the notice of proposed penalty, the person against whom the penalty is proposed may:

(a) pay the amount of the proposed penalty at the place and time stated in the notice; or

(b) proceed in accordance with the review procedures of Subsection (5).

(5) Any person against whom a penalty has been proposed in accordance with Subsections (2) and (3) may contest the proposed penalty by filing a petition for an adjudicative proceeding with the commission.

(6) If the commission determines that the collection of the penalty is in jeopardy, nothing in this section may prevent the immediate collection of the penalty in accordance with the procedures and requirements for emergency proceedings in Title 63, Chapter 46b, Administrative Procedures Act.

(7) (a) In any hearing before the commission and in any judicial review of the hearing, the commission and the court shall consider any inference and evidence that a person has willfully failed to collect, truthfully account for, or pay over any tax listed in Subsection (1).

(b) It is prima facie evidence that a person has willfully failed to collect, truthfully account for, or pay over any of the taxes listed in Subsection (1) if the commission or a court finds that the person charged with the responsibility of collecting, accounting for, or paying over the taxes:

(i) made a voluntary, conscious, and intentional decision to prefer other creditors over the state government or utilize the tax money for personal purposes;

(ii) recklessly disregarded obvious or known risks, which resulted in the failure to collect, account for, or pay over the tax; or

(iii) failed to investigate or to correct mismanagement, having notice that the tax was not or is not being collected, accounted for, or paid over as provided by law.

(c) The commission or court need not find a bad motive or specific intent to defraud the government or deprive it of revenue to establish willfulness under this section.

(d) If the commission determines that a person is liable for the penalty under Subsection (2), the commission shall assess the penalty and give notice and demand for payment. The notice and demand for payment shall be mailed by registered mail, postage prepaid, to the person's last-known address.

6. Page 47, Line 1432:

After “, a” insert “tax rate repeal or”

7. Page 47, Line 1443:

After “(2)(d)(iii),” insert “the repeal of a tax or”

8. Page 47, Line 1445:

After “of the” insert “repeal of the tax or the”

9. Page 47, Line 1446:

After “of” bracket “a” and insert “the repeal of the tax or the”

10. Page 48, Line 1462:
After “, a” insert “tax rate repeal or”
11. Page 48, Line 1465:
After “of the” insert “tax rate repeal or”
12. Page 56, Line 1715:
After line 1715 insert:
“(4) The Division of Finance shall deposit any revenues in the Remote Sales Restricted Account as of July 1, 2004, into the General Fund.”
13. Page 108, Line 3314:
After “impose a” bracket “transient room”
14. Page 108, Line 3315:
After “on” insert “charges for”
15. Page 108, Lines 3327– 3328:
After “to the” bracket “tourism, recreation, cultural, and convention”
16. Page 108, Line 3331:
After “[rents]” insert “charges for the”
17. Page 108, Line 3333:
After “[rents]” insert “charges for the”
18. Page 113, Line 3473:
After “on” insert “charges for the”
19. Page 113, Line 3476:
After “[rents]” insert “charges for the”
20. Page 113, Line 3478:
After “[rents]” insert “charges for the”
21. Page 114, Line 3501:
After “on” insert “charges for the”
22. Page 114, Line 3509:
After “[rents]” insert “charges for the”
23. Page 114, Line 3512:
At the beginning of line 3512 insert “charges for the”

24. Page 132, Line 4078:
After "on" insert "charges for the"
25. Page 133, Line 4109:
After ", and" insert "charges for the"
26. Page 133, Line 4112:
After ", and" insert "charges for the"
27. Page 162, Line 5008:
After ", a" insert "tax rate repeal or"
28. Page 162, Line 5015:
After "Subsection (1)," insert "the repeal of a tax or"
29. Page 162, Line 5017:
After "of the" insert "repeal of the tax or the"
30. Page 162, Line 5018:
After "date of" delete "a" and insert "the repeal of the tax or the"
31. Page 188, Lines 5801:
After "2004" delete the remainder of Line 5801
32. Page 188, Lines 5802–5803:
Delete Lines 5802 and 5803 except for the period

Representative Harper's motion to amend passed on a voice vote.

On motion of Representative Curtis, the House voted to circle **H.B. 273**.

* * *

H.B. 306, PROPERTY TAX RELIEF, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.B. 306**.

* * *

H.B. 150, WORKERS COMPENSATION – FIRE DEPARTMENT EMPLOYEES, read the third time by short title and placed on its final passage.

H.B. 150 then failed to pass on the following roll call:

Yeas, 35; Nays, 38; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|----------|-----------|
| S. Allen | Anderson | Becker | Bigelow |
| Biskupski | Bowman | Buffmire | Buxton |
| D. Clark | D. Cox | Curtis | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Harper | Hendrickson | Hogue | Holdaway |
| Jones | King | Kiser | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Shurtliff | Ure | Wallace | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------------|------------|----------|
| Aagard | Adams | Alexander | Barrus |
| Bird | Bryson | Bush | Buttars |
| Christensen | S. Clark | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Hughes | E. Hutchings | B. Johnson | Last |
| Lockhart | Morley | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Urquhart |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | |
|---------|-----------|
| Bennion | Bourdeaux |
|---------|-----------|

H.B. 150 was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 1:30 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 1:30 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 23, 2004

The Senate passed, as substituted, and amended **1st Sub. S.B. 89**, CONTRACTOR LICENSING AMENDMENTS, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 249**, DEFINING PRACTICE OF CHIROPRACTIC PHYSICIAN, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 162**, INTERSTATE INSURANCE PRODUCT REGULATION – COMPACT, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 177**, PROPERTY TAX – OUTDOOR ADVERTISING, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 182**, ASSISTANT ADJUTANT GENERAL QUALIFICATIONS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 200**, LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 107**, ADVANCED PRACTICE REGISTERED NURSE MODIFICATIONS, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 89, S.B. 249, S.B. 162, S.B. 177, S.B. 182, S.B. 200, and S.B. 107**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 23, 2004

The Senate concurred in the House amendments and passed **S.B. 150**, JUDICIAL CONFIRMATION PROCESS AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 150** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 23, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 327, IMPOUNDED VEHICLES AMENDMENTS**, by Representative E. Hutchings; and

The Transportation Committee reports a favorable recommendation on **1st Sub. H.B. 109, LEGAL PRESENCE PROVISIONS**, by Representative M. Thompson; and

The Transportation Committee reports a favorable recommendation on **S.B. 168, DRIVER LICENSE RELATED AMENDMENTS**, by Senator C. Walker, and recommends it be placed on the Consent Calendar.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

H.B. 327, and Sub. H.B. 109, read the second time by short title and placed on the calendar for third reading.

S.B. 168, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 23, 2004

The Judiciary Committee reports a favorable recommendation on **S.B. 161, JUDICIAL CONDUCT COMMISSION**, by Senator M. Waddoups, with the following amendments:

- 1. Page 3, Lines 64 through 69s
Senate 3rd Reading Amendments
2-18-2004:

64 (2) During the course of any investigation, the commission:

65 (a) shall refer any information relating to the criminal conduct alleged and any

66 evidence which relates to the allegation to which the judge has been accused, unless plainly

67 frivolous, to the local prosecuting attorney as provided in Subsection (1)(b); § [and] §

68 (b) may order a hearing to be held concerning the reprimand, censure, suspension,

69 removal, or involuntary retirement of a judge[;] § [] :

69a ~~[(c) SHALL, IF IT FINDS BY A PREPONDERANCE OF THE EVIDENCE THAT JUDICIAL~~

69b ~~MISCONDUCT OCCURRED:~~

69c ~~(I) REVIEW THE RECORD OF ALL COMPLAINTS PREVIOUSLY DISMISSED AGAINST THE JUDGE;~~

69d ~~(II) REVIEW THE RECORD OF ALL PREVIOUS ORDERS OF REPRIMAND, CENSURE, OR~~

69e ~~SUSPENSION ISSUED BY THE COMMISSION AGAINST THE JUDGE; AND~~

69f ~~(III) REVIEW ALL INFORMATION IN THE COMMISSION'S FILES ON ANY INFORMAL~~

69g ~~RESOLUTION, INCLUDING ANY LETTER OF ADMONITION, OR CAUTION, THAT THE COMMISSION~~

69h ~~ISSUED TO THE JUDGE PRIOR TO MAY 1, 2000; AND~~

69i ~~(d) MAY DISMISS RELATIVELY MINOR MISCONDUCT WITH A WARNING, OR ON CONDITIONS~~

69j ~~OF NO FURTHER MISBEHAVIOR, EVEN IF IT FINDS BY A PREPONDERANCE OF THE EVIDENCE~~

69k ~~THAT MISCONDUCT OCCURRED, UNLESS ONE OR MORE OF THE FOLLOWING CONDITIONS HAVE~~

69l ~~BEEN MET:~~

69m ~~(i) THE RESPONDENT JUDGE HAS PREVIOUSLY RECEIVED A PUBLIC REPRIMAND, CENSURE, OR~~

69n ~~SUSPENSION;~~

69o ~~(ii) THE RESPONDENT JUDGE HAS PREVIOUSLY RECEIVED ANY INFORMAL REPRIMAND FROM THE~~

69p ~~COMMISSION PRIOR TO MAY 1, 2004; OR~~

69q ~~(iii) THE MISCONDUCT UNDER CONSIDERATION HAS BEEN WIDELY REPORTED OR IS WIDELY~~

69r ~~KNOWN AMONG COURT EMPLOYEES, PARTICIPANTS IN THE JUDICIAL SYSTEM, OR THE GENERAL~~

69s PUBLIC §]]; and

The Judiciary Committee reports a favorable recommendation on **S.B. 219**, AMENDMENTS TO JUSTICE COURT OPERATIONS, by Senator E. Mayne, with the following amendments:

1. Page 2, Lines 32 through 41

Senate 3rd Reading Amendments
2-18-2004:

32 (3) [County] ~~[[Notwithstanding Subsection 78-3-24(10), county]]~~
and municipal justice

33 courts shall be open and judicial business shall be transacted [every
day except as provided by

34 law including the provisions of Section 78-3-24 regarding court
administration.];

35 (a) five days per week; or

36 (b) no less than four days per week for at least 11 hours per day.

37 § (4) THE LEGISLATIVE BODY OF THE COUNTY, CITY, OR
TOWN SHALL ESTABLISH

37a OPERATING HOURS FOR THE JUSTICE COURTS WITHIN
THE REQUIREMENTS OF SUBSECTION (3) AND THE CODE OF
JUDICIAL ADMINISTRATION .

37b ~~[(4)]~~ (5) § The hours the courts are open shall be posted
conspicuously at the courts and in

38 local public buildings. ~~[The judges of county and municipal courts
shall attend the court at~~

39 ~~regularly scheduled times.]~~

40 § ~~[(5)]~~ (6) § The clerk of the court and judges of county and
municipal courts shall attend the

41 court at regularly scheduled times ~~[[§ AS ESTABLISHED BY
THE LEGISLATIVE BODY §]]~~

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

S.B. 161, as amended, and **S.B. 219**, as amended, read the second time by short title and placed on the calendar for third reading.

UNFINISHED BUSINESS

On motion of Representative Allen, the House voted to uncircle **H.B. 138**.

H.B. 138, TRESPASSING ON STATE PARK LANDS, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 3, Line 63:
Delete all of line 63 except for “or” renumber accordingly.

Representative Allen’s motion to amend passed on a voice vote.

H.B. 138, as amended, then passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | D. Cox | Curtis | Daniels |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Love | Mascaro | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|----------|----------|
| Alexander | Christensen | S. Clark | Dayton |
| Donnelson | Ferrin | Frank | Hughes |
| Kiser | Lockhart | Philpot | Thompson |
| Ure | M. Stephens | | |

Absent or not voting were: Representatives

| | | |
|--------|-----------|--------|
| Bryson | McCartney | Morley |
|--------|-----------|--------|

H.B. 138, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Mascaro, the House voted to uncircle **Sub. H.B. 56**.

Sub. H.B. 56, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES, was before the House on its final passage.

On motion of Representative Mascaro, the House voted to delete **Sub. H.B. 56** in title and body and insert **2nd Sub. H.B. 56** in lieu thereof.

Representative D. Clark proposed the following amendment:

- 1. Page 5, Line 146 through Page 6, Line 150

146 (b) Subject to Subsection (2), the past due service fees and other amounts for which the

147 customer is liable under this chapter, upon their certification under Subsection (1)(a), become a

148 lien on the customer's property to which the water was furnished or sewer service provided [~~on a~~

149 parity with and collectible at the same time and in the same manner as general county taxes that

150 are a lien on the property]] having a priority consistent with the date of certification under Subsection (1)(a) .

Representative D. Clark's motion to amend passed on a voice vote.

###

Representative Hogue proposed the following amendment:

- 1. Page 7, Line 186:
Delete "\$250" and insert "\$100"
- 2. Page 7, Line 194:
Delete "\$500" and insert "\$200"

Representative Hogue's motion to amend passed on a voice vote.

2nd Sub. H.B. 56, as amended, then passed on the following roll call:

Yeas, 42; Nays, 31; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|------------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Buxton |
| D. Clark | D. Cox | Daniels | Dee |
| Ferry | Goodfellow | Hardy | Harper |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|-------------|-----------|
| Adams | Alexander | Bennion | Bryson |
| Bush | Buttars | Christensen | S. Clark |
| Curtis | Dayton | Dillree | Donnelson |
| Dougall | Duckworth | Ferrin | Frank |
| Gowans | Hansen | Hendrickson | Hughes |
| Kiser | Lockhart | Morley | Newbold |
| Pace | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | |
|----------|---------|
| Dunnigan | Philpot |
|----------|---------|

2nd Sub. H.B. 56, held for possible reconsideration.

* * *

On motion of Representative Christensen, the House voted to uncircle **H.B. 306**.

H.B. 306, PROPERTY TAX RELIEF, was before the House on its final passage.

H.B. 306 then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-------------|-------------|------------|--------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| M. Stephens | | | |

Voting in the negative were: Representatives

D. Cox Dougall

Absent or not voting were: Representatives

Buxton S. Clark Mascaro Webb

H.B. 306 transmitted to the Senate for its consideration.

* * *

On motion of Representative Bigelow, the House voted to uncircle **H.B. 126**.**H.B. 126**, TEACHER CLASSIFICATIONS, was before the House on its final passage.**H.B. 126**, as amended, then passed on the following roll call:**Yeas, 52; Nays, 22; Absent or not voting, 1.****Voting in the affirmative were:** Representatives

| | | | |
|-----------|-------------|------------|-----------|
| Agard | S. Allen | Anderson | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buxton | D. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Holdaway |

| | | | |
|--------------|------------|-----------|-------------|
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Love |
| Mascaro | McCartney | McGee | Moss |
| Murray | Newbold | Noel | Peterson |
| Philpot | Seitz | Shurtliff | Styler |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|-----------|-------------|
| Alexander | Barrus | Buttars | Christensen |
| S. Clark | Dayton | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hughes | Lawrence | Lockhart |
| Morgan | Morley | Pace | G. Snow |
| Thompson | Ure | | |

Absent or not voting was: Representative

Adams

H.B. 126, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Harper, the House voted to uncircle **H.B. 273**.

H.B. 273, TAX AND CHARGE AMENDMENTS, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 1, Lines 25 through 27

House Committee Amendments
2-16-2004

25 ▶ repeals obsolete language;

25a ~~[[▶ REPEALS A CAP ON CERTAIN STATE SALES AND USE TAX THAT IS DEDICATED TO~~

25b ~~FUND CERTAIN WATER PROJECTS AND CERTAIN DEPARTMENT OF NATURAL RESOURCES~~

25c ~~PROJECTS;]]~~ ~~[[~~

26 ▶ provides that certain state sales and use tax revenues be deposited into the Remote

27 Sales Restricted Account;

- 2. Page 50, Line 1544 through Page 51, Line 1550
House Committee Amendments
2-16-2004:

1544 ~~[(b)-(i)]~~ (4)(a) Notwithstanding Subsection (3)(a), for a fiscal year beginning on or

1545 after July 1, 2003, \hat{H} ~~[[[]]]~~ the lesser of the following amounts ~~[[[]]]~~
[[FOR TAXES LISTED UNDER SUBSECTION

1545a ~~(3)(a)~~ THE AMOUNT OF TAX REVENUE GENERATED BY A 1/16% TAX RATE ON THE TRANSACTIONS

1545b DESCRIBED IN SUBSECTION (1) FOR THE FISCAL YEAR]]
 \hat{H} shall be used as provided in Subsections

1546 (4)(b) ~~[(ii)]~~ through ~~[(vii)]~~ (g) \hat{H} ~~[[[]]:[[[]]]~~ ~~[[[]]]~~ \hat{H}

1547 ~~[(A)]~~ \hat{H} ~~[[[]]]~~ (i) for taxes listed under Subsection (3)(a), the amount of tax revenue generated:

1548 ~~[(I)]~~ (A) by a 1/16% tax rate on the transactions described in Subsection (1); and

1549 ~~[(II)]~~ (B) for the fiscal year; or

1550 ~~[(B)]~~ (ii) \$17,500,000. ~~[[[]]]~~ \hat{H}

Representative Bigelow’s motion to amend failed on a voice vote.

H.B. 273, as amended, then failed to pass on the following roll call:

Yeas, 8; Nays, 64; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------|-------|---------|--------------|
| D. Cox | Ferry | Harper | E. Hutchings |
| Pace | Seitz | G. Snow | Styler |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |

| | | | |
|-----------|-----------|-------------|-------------|
| Dunnigan | Ferrin | Frank | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Peterson |
| Philpot | Shurtliff | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|---------|------------|------|
| Dillree | Goodfellow | Noel |
|---------|------------|------|

H.B. 273, as amended, was filed.

* * *

On motion of Representative Styler, the House voted to uncircle **H.B. 230**.

H.B. 230, PROPERTY TAX LEVY FOR EDUCATION, was before the House on its final passage.

H.B. 230, as amended, then passed on the following roll call:

Yeas, 38; Nays, 37; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|------------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Bowman | Buffmire | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Duckworth | Dunnigan | Goodfellow |
| Gowans | Hansen | Hendrickson | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Pace | Peterson | Seitz | Shurtliff |
| Styler | Webb | | |

Voting in the negative were: Representatives

| | | | |
|----------|---------|-----------|-------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | Dayton | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Hardy |

| | | | |
|-------------|----------|------------|---------|
| Harper | Hughes | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Newbold | Noel | Philpot | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| M. Stephens | | | |

H.B. 230, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hogue, the House voted to uncircle **H.B. 251**.

H.B. 251, RADIO FREQUENCY IDENTIFICATION – RIGHT TO KNOW ACT, was before the House on its final passage.

Representative Hogue proposed the following amendment:

1. Page 3, Lines 63 through 64

House Committee Amendments
2-13-2004

63 (6) “Radio frequency identification tag” means a device ~~[[that is able to transmit~~ AND

63a COLLECT AND

64 information ON A MICROCHIP through radio waves.]] :

(a) made of a microchip; and

(b) that contains a unique number or identifier;

(i) related to an item or product; and

(ii) that can be read by or transmitted to an external device using radio waves.

2. Page 5, Line 148 through Page 6, Line 156:

148 (s) in a consumer transaction, sells any product at retail that:

149 (i) contains a radio frequency identification tag; and

150 (ii) does not contain a [[label]] notice on the product or the product packaging using :

(A) a logo if the supplier also provides notice;

(I) posted near the product and at the location where the consumer transaction is completed;

(II) informing a consumer of the meaning of the logo; and

(II) containing the information described in Subsection (2)(s)(ii)(B); or

(B) another type of identifier:

151 ~~[(A)]~~ (I) stating that~~[:]~~

152 ~~[(H)]~~ the product contains a radio frequency identification tag~~[:]~~
and that

153 ~~[(H)]~~ the radio frequency identification tag can transmit information to a reader both

154 before and after the purchase:

155 ~~[(B)]~~ (II) that is in a conspicuous type size and location; and

156 ~~[(C)]~~ (III) that is in print that contrasts with the background against which it appears.

Representative Hogue's motion to amend passed on a voice vote.

###

Representative Love proposed the following amendment:

1. Page 5, Line 147

147 to by the consumer~~[-];~~ ~~[[ex]]~~

2. Page 6, Line 156

House Committee Amendments
2-13-2004:

156 (C) that is in print that contrasts with the background against which it appears~~[:]~~; or

(t) sells any product that contains a radio frequency identification tag if the supplier does not disable the radio frequency identification tag prior to the completion of the sale unless the consumer chooses to leave it active."

Representative Love's motion to amend passed on a voice vote.

H.B. 251, as amended, then passed on the following roll call:

Yeas, 47; Nays, 23; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|-----------|--------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Biskupski | Bourdeaux | Bowman |

| | | | |
|----------|----------|--------------|-------------|
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Duckworth | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Seitz | Shurtliff |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|----------|
| Adams | Alexander | Bennion | Bigelow |
| Bird | Bryson | Christensen | Curtis |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Last |
| Lockhart | Morley | Noel | Peterson |
| G. Snow | Styler | Thompson | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|---------|-----|
| Dillree | Hughes | Philpot | Ure |
| M. Stephens | | | |

H.B. 251 held for possible reconsideration.

INTRODUCTION OF BILL

H.C.R. 15, Resolution Recognizing Military Appreciation Week (J. Adams), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 3:35 p.m.

Speaker Stephens called the House to order at 3:45 p.m.

UNFINISHED BUSINESS

On motion of Representative Morgan, the House voted to uncircle **Sub. H.J.R. 5**.

Sub. H.J.R. 5, JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE MEETINGS, was before the House on its final passage.

Sub. H.J.R. 5 then failed to pass on the following roll call:

Yeas, 28; Nays, 46; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|---------|-------------|
| Anderson | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Buxton | Daniels | Dougall | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| B. Johnson | Jones | King | Kiser |
| Litvack | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Shurtliff |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Last | Lawrence | Lockhart | Love |
| Morley | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative
Mascaro

Sub. H.J.R. 5 was filed.

THIRD READING CALENDAR

H.B. 290, STATE EMPLOYEE COMPENSATION STUDY TASK FORCE, read the third time by short title and placed on its final passage.

H.B. 290 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-------------|-----------|-------------|------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|--------|--------------|
| S. Clark | D. Cox | Dayton | E. Hutchings |
| Mascaro | M. Stephens | | |

H.B. 290, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 142, AUDIT REQUIREMENTS FOR POLITICAL SUBDIVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to delete **H.B. 142** in title and body and insert **Sub. H.B. 142** in lieu thereof.

Sub. H.B. 142 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |

| | | | |
|------------|-------------|-------------|----------|
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|--------------|---------|
| Christensen | D. Cox | E. Hutchings | Mascaro |
|-------------|--------|--------------|---------|

Sub. H.B. 142 transmitted to the Senate for its consideration.

* * *

H.B. 157, TRANSPORTATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 6, Lines 174 through 178

174 [(9)] (7) The district shall pay to each [trustee] voting member:

175 (a) an attendance fee of \$50 per board or committee meeting attended, not to exceed

176 \$200 in any calendar month to any [[trustee]] voting member; and

177 (b) reasonable mileage and expenses necessarily incurred to attend board or committee

178 meetings.

2. Page 8, Lines 235 through 242:

235 [(e) May] (7) The board may provide by resolution, under terms and conditions it

236 considers fit, for the payment of demands against the district, without prior specific approval by

237 the board if [~~the demand~~] the payment is:

238 (a) for a purpose for which ~~an~~ the expenditure has been previously approved by the

239 board ~~and~~;

240 (b) in an amount no greater than the amount ~~so~~ authorized~~;~~; and ~~if the demand~~

241 (c) ~~is~~ approved by the general manager or ~~such~~ any other officer or deputy as the

242 board may prescribe.

Representative Dougall’s motion to amend passed on a voice vote.

H.B. 157, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Holdaway | Hughes | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------------|---------|-------------|-------|
| Buttars | D. Cox | Hendrickson | Hogue |
| E. Hutchings | Mascaro | | |

H.B. 157, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 153, COMMERCIAL DRIVER LICENSE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Bird declared a conflict of interest because his wife runs a daycare.

H.B. 153 then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hogue | Holdaway | Hughes |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative
Hendrickson

Absent or not voting were: Representatives

| | | | |
|---------|--------|--------------|------------|
| D. Cox | Harper | E. Hutchings | B. Johnson |
| Mascaro | | | |

H.B. 153 held for possible reconsideration.

* * *

H.B. 135, NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to delete **H.B. 135** in title and body and insert **Sub. H.B. 135** in lieu thereof.

Representative Holdaway proposed the following amendment:

1. Page 2, Line 52:
Delete "five" and insert "three"

Representative Holdaway's motion to amend passed on a voice vote.

Sub. H.B. 135, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|--------|---------|
| Adams | Bourdeaux | Harper | Mascaro |
| Morley | Moss | | |

Sub. H.B. 135, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 23, 2004

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- 1st Sub. S.B. 89** Contractor Licensing Amendments (Sen. P. Hellewell)
S.B. 107 Advanced Practice Registered Nurse Modifications
(Sen. P. Knudson)
- S.B. 162** Interstate Insurance Product Regulation – Compact
(Sen. J. Valentine)
- S.B. 200** License and Certification Extension for Deployed
National Guard Members (Sen. P. Knudson)
- S.B. 249** Defining Practice of Chiropractic Physician
(Sen. D. C. Buttars)

EDUCATION

- H.B. 307** Oversight of High School Activities Association
(Rep. D. Bourdeaux)

JUDICIARY

- H.B. 151** Protective Custody of Abused, Neglected, or Dependent
Children (Rep. E. Hutchings)
- 2nd Sub. S.B. 175** Protection of Private Lawfully Obtained Property
(Sen. D. C. Buttars)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.C.R. 15** Resolution Recognizing Military Appreciation Week
(Rep. J. S. Adams)
- S.B. 182** Assistant Adjutant General Qualifications
(Sen. P. Knudson)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- S.B. 71** Safety Belt Enforcement (Sen. K. Hale)
- 2nd Sub. S.B. 140** Human Services Licensing Amendments
(Sen. D. C. Buttars)

POLITICAL SUBDIVISIONS

- H.B. 281** Toxic Mold Disclosure (Rep. D. Hogue)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 318** Uniform Statewide Fees for Certain Tangible Personal
Property (Rep. C. Bennion)
- 1st Sub. S.B. 66** Telecommunications Amendments (Sen. J. Hickman)

REVENUE AND TAXATION

S.B. 177 Property Tax – Outdoor Advertising (Sen. M. Waddoups)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.C.R. 16 Resolution Urging Retirement System Support of Economic Development (Rep. P. Wallace)

S.B. 165 Workers' Compensation Amendments (Sen. C. Bramble); and

The House Rules Committee recommends, with written request of the sponsor, that, **H.B. 89**, Special Group License Plate Amendments (Rep. M. Morley) be replaced with **1st Sub. H.B. 89**, Special Group License Plate Amendments (Rep. M. Morley), and further recommends it be assigned to the Transportation Standing Committee

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, the House voted to return all House bills on the House Third Reading Calendar to the Rules Committee for prioritization. The Consent Calendar and Concurrence Calendar are not included in this motion. The following bills and resolutions were returned to the Rules Committee for prioritization: **H.B. 289, H.B. 108, H.B. 263, H.B. 341, H.B. 325, H.B. 314, Sub. H.B. 261, H.J.R. 25, Sub. H.B. 262, H.B. 292, H.B. 332, H.B. 275, Sub. H.B. 283, H.B. 146, H.B. 324, Sub. H.B. 119, Sub. H.B. 137, Sub. H.B. 70, Sub. H.B. 351, H.B. 357, H.C.R. 11, H.B. 152, H.B. 364, Sub. H.J.R. 17, H.C.R. 10, H.B. 336, Sub. H.B. 266, H.B. 322, H.B. 132, H.B. 308, H.B. 270, H.B. 343, H.B. 260, H.B. 345, H.B. 147, Sub. H.B. 311, H.J.R. 15, H.B. 288, H.B. 327, and Sub. H.B. 109.**

RULES COMMITTEE REPORT

Mr. Speaker: February 23, 2004

The Rules Committee recommends that the following bills and resolutions, having been read for the second time, be placed on the Third Reading Calendar:

1st Sub. H.B. 262 Penalties for Providing False or Misleading Information in Court (Rep. J. Alexander)

H.J.R. 25 Joint Resolution on Marriage (Rep. L. Christensen)

1st Sub. H.B. 70 Geriatric Care Managers (Rep. R. Lockhart)

| | |
|--------------------------|--|
| H.B. 263 | State Retirement System Amendments (Rep. B. King) |
| H.B. 260 | Tobacco Fund Allocation Amendments (Rep. J. Seitz) |
| H.B. 108 | Insurance and Retirement for Charter School Employees (Rep. M. Newbold) |
| H.B. 146 | County Cooperative Agreements with State for Fire Protection (Rep. C. Buttars) |
| H.B. 152 | Charter School Governance (Rep. M. Dillree) |
| 1st Sub. H.B. 266 | Revisions to Child Welfare (Rep. W. Harper) |
| H.B. 270 | Residence Requirements for Driver License (Rep. M. Noel) |
| H.B. 341 | Children's Internet Protection Act (Rep. M. Noel) |
| H.B. 275 | Adoption Amendments (Rep. A. Hardy) |
| 1st Sub. H.B. 119 | Fencing Responsibilities with Greenbelt or Conservation Easement (Rep. D. Ure) |
| H.B. 324 | Safe Drinking Water Act Amendment (Rep. C. Moss) |
| H.B. 314 | Consumer Protection Revisions (Rep. J. Dougall) |
| H.B. 343 | Practice Permit Requirement Amendments (Rep. R. Barrus) |
| H.B. 336 | Claims on Real Property (Rep. G. Hughes) |
| H.B. 325 | Motor Vehicle Insurance Amendment (Rep. C. Bennion) |
| H.B. 292 | Vehicle Franchise Amendments (Rep. B. Last) |
| H.B. 289 | Alcoholic Beverage Amendments Related to Minors (Rep. L. Pace) |

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, the House voted that as House bills are reported out of Standing Committees, they be considered read the second time by short title and referred to the Rules Committee for prioritization.

* * *

On motion of Representative Curtis, the House voted to adjourn until February 24, 2004, at 9:00 a.m.

THIRTY-SEVENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 9:15 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Stephen H. Urquhart.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 23, 2004

The Senate passed, as substituted, **1st Sub. S.B. 185**, PUBLIC EDUCATION AMENDMENTS, by Senator T. Hatch, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 185**, read the first time by short title and referred to the Rules Committee.

REPORT OF STANDING COMMITTEE

Mr. Speaker: February 23, 2004

The Judiciary Committee reports a favorable recommendation on **2nd Sub. S.B. 45**, UNIFORM PARENTAGE ACT, by Senator L. Hillyard, with the following amendments:

1. Page 15, Line 436:

436 (15) "Man", AS DEFINED IN THIS CHAPTER, means a male individual of any age.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Judiciary committee was adopted.

2nd Sub. S.B. 45, as amended, read the second time by short title and placed on the calendar for third reading.

CONCURRENCE CALENDAR

On motion of Representative Thompson, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 198**, CHILD WELFARE COURT REPORTS.

2nd Sub. H.B. 198, as amended by the Senate, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|------------|----------|
| Buxton | Dillree | B. Johnson | Mascaro |
| Philpot | Shurtliff | Ure | Urquhart |

2nd Sub. H.B. 198, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Noel, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 206**, CONSTITUTION DEFENSE COUNCIL AMENDMENTS.

2nd Sub. H.B. 206, as amended by the Senate, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|----------|-----------|-------------|--------------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|---------|-----|
| B. Johnson | McCartney | Philpot | Ure |
|------------|-----------|---------|-----|

2nd Sub. H.B. 206, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

Sub. H.B. 262, PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT, read the third time by short title and placed on its final passage.

Representative Alexander proposed the following amendment:

1. Page 2, Lines 28 through 43

28 (1) A person is guilty of a class B misdemeanor if the person, not under oath or

29 affirmation, intentionally or knowingly gives ~~[[or causes to be given]]~~ false or misleading material

30 information to an officer of the court for the purpose of influencing a ~~[[sentencing decision]]~~ criminal proceeding .

31 (2) For the purposes of this section “officer of the court” means:

**** Some lines not shown ****

[[38 ~~H [(g)] (e) H~~ bailiff:]]

**** Some lines not shown ****

42 ~~H [(k)] (i) H~~ any other person reasonably believed to be gathering
[[~~sentencing~~]] information for

42a [[~~the~~

43 ~~court~~]] a criminal proceeding .

(3) This section does not apply under circumstances amounting to
76–8–306 or any other provision of this code carrying a greater penalty.

Representative Alexander’s motion to amend passed on a voice vote.

Sub. H.B. 262, as amended, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|------------|----------|-----------|---------|
| B. Johnson | Lawrence | McCartney | Philpot |
| Styler | | | |

Sub. H.B. 262, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 25, JOINT RESOLUTION ON MARRIAGE, read the third time by short title and placed on its final passage.

Representative Ferrin proposed the following amendment:

- 1. Page 1, Lines 27–28:
Delete “valid or recognized or may be authorized, sanctioned, or”

Representative Ferrin’s motion to amend failed on a voice vote.

H.J.R. 25 then passed on the following roll call:

Yeas, 56; Nays, 16; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Shurtliff | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|------------|----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | King | Litvack |
| McCartney | McGee | Moss | Philpot |

Absent or not voting were: Representatives

| | | |
|---------|-------|---------|
| Dillree | Seitz | G. Snow |
|---------|-------|---------|

H.J.R. 25 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 70, GERIATRIC CARE MANAGERS, read the third time by short title and placed on its final passage.

Sub. H.B. 70 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Christensen | D. Clark | S. Clark | Curtis |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Goodfellow | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|-----------|
| Bourdeaux | Buxton | D. Cox | Dillree |
| Ferrin | Frank | Gowans | Hardy |
| Newbold | Philpot | Seitz | Shurtliff |
| G. Snow | | | |

Sub. H.B. 70 transmitted to the Senate for its consideration.

* * *

H.B. 263, STATE RETIREMENT SYSTEM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 263 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |

| | | | |
|----------|-----------|--------------|-------------|
| Buttars | Buxton | Christensen | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Shurtliff |
| Styler | Thompson | Ure | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|-------|---------|
| D. Clark | Dougall | Frank | Hardy |
| Hughes | Philpot | Seitz | G. Snow |
| Urquhart | M. Stephens | | |

H.B. 263 transmitted to the Senate for its consideration.

* * *

H.B. 260, TOBACCO FUND ALLOCATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **H.B. 260**.

* * *

H.B. 108, INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **H.B. 108**.

* * *

H.B. 146, COUNTY COOPERATIVE AGREEMENTS WITH STATE FOR FIRE PROTECTION, read the third time by short title and placed on its final passage.

H.B. 146 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Shurtliff | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|--------|---------|-------------|---------|
| D. Cox | Dougall | Frank | Philpot |
| Seitz | G. Snow | M. Stephens | |

H.B. 146 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Newbold, the House voted to uncircle **H.B. 108**.

H.B. 108, INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES, was before the House on its final passage.

H.B. 108 then passed on the following roll call:

Yeas, 46; Nays, 26; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|---------|-----------|----------|--------------|
| Aagard | Alexander | Anderson | Barrus |
| Bennion | Bird | Bowman | Bryson |
| Buxton | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dillree | Donnelson |
| Dougall | Ferrin | Frank | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |

| | | | |
|------------|-------------|----------|---------|
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | Morgan | Morley | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| S. Allen | Becker | Bigelow | Biskupski |
| Bourdeaux | Buffmire | Bush | Curtis |
| Dee | Duckworth | Dunnigan | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Jones | McCartney | McGee |
| Moss | Murray | Shurtliff | G. Snow |
| Styler | Ure | | |

Absent or not voting were: Representatives

| | | |
|-------|---------|-------------|
| Adams | Buttars | Christensen |
|-------|---------|-------------|

H.B. 108 transmitted to the Senate for its consideration.

* * *

On motion of Representative Seitz, the House voted to uncircle **H.B. 260**.

H.B. 260, TOBACCO FUND ALLOCATION AMENDMENTS, was before the House on its final passage.

H.B. 260 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |

| | | | |
|----------|---------|----------|-------------|
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|--------|---------|-------------|
| Barrus | Buttars | Christensen |
|--------|---------|-------------|

H.B. 260 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 152, CHARTER SCHOOL GOVERNANCE, read the third time by short title and placed on its final passage.

Representative Dillree proposed the following amendment:

1. Page 9, Lines 254 through 256

254 (4) ~~[[[](a)[[]]]~~ A charter school shall make the same annual reports required of other public

255 schools under Title 53A, State System of Public Education, including an annual financial audit

256 report.

(b) A charter school shall file its annual financial audit report with the Office of the State Auditor within six months of the end of the fiscal year.

2. Page 2, Line 49:
After line 49 insert:
“53A-1a-513, as last amended by Chapter 320, Laws of Utah 2003”
3. Page 14, Line 428:
After line 428 insert:
House Committee Amendments
“Section 16. Section 53A-1a-513 is amended to read:
2-19-2004
53A-1a-513. Funding for charter schools.
(1) (a) Charter schools shall receive funding as described in this section, except Subsections (2) through (7) do not apply to charter

schools described in Subsection (1)(b).

(b) Charter schools sponsored by local school boards that are converted from district schools or operate in district facilities without paying reasonable rent shall receive funding as prescribed in Section 53A-1a-515.

(2) (a) Except as provided in Subsection (2)(b), a charter school shall receive state funds, as applicable, on the same basis as a school district receives funds.

(b) In distributing funds under Title 53A, Chapter 17a, Minimum School Program Act, to charter schools, charter school pupils shall be weighted, where applicable, as follows:

- (i) .55 for kindergarten pupils;
- (ii) .9 for pupils in grades 1-6;
- (iii) .99 for pupils in grades 7-8; and
- (iv) 1.2 for pupils in grades 9-12.

(c) The State Board of Education shall make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to administer Subsection (2)(b), including hold harmless provisions to maintain a charter elementary school's funding level for a period of two years after the effective date of the distribution formula.

(d) Subsection (2)(b) does not apply to funds appropriated to charter schools to replace local property tax revenues.

(3) The State Board of Education shall adopt rules to provide for the distribution of monies to charter schools under this section.

(4) The Legislature shall provide an appropriation for charter schools for each of their students to replace some of the local property tax revenues that are not available to charter schools. The amount of money provided for each charter school student shall be determined by:

- (a) calculating the sum of:
 - (i) school districts' operations and maintenance revenues derived from local property taxes, except revenues from imposing a minimum basic tax rate pursuant to Section 53A-17a-135;
 - (ii) school districts' capital projects revenues derived from local property taxes; and
 - (iii) school districts' expenditures for interest on debt; and

(b) dividing the sum by the total average daily membership of the districts' schools.

(5) Charter schools are eligible to receive federal funds if they meet all applicable federal requirements and comply with relevant federal regulations.

(6) (a) The State Board of Education shall distribute funds for charter

school students enrolled in a charter school authorized by the State Charter School Board directly to the charter school.

(b) Funding for charter school students enrolled in a charter school authorized by a local school board shall be distributed to the charter school by the local school board.

(7) (a) Notwithstanding Subsection (2), a charter school is not eligible to receive state transportation funding.

(b) The board shall also adopt rules relating to the transportation of students to and from charter schools, taking into account Sections 53A-2-210 and 53A-17a-127.

(c) The governing body of the charter school may provide transportation through an agreement or contract with the local school board, a private provider, or with parents.

(8) (a) (i) The state superintendent of public instruction may allocate grants for both start-up and ongoing costs to eligible charter school applicants from monies appropriated for the implementation of this part.

(ii) Applications for the grants shall be filed on a form determined by the state superintendent and in conjunction with the application for a charter.

(iii) The amount of a grant may vary based upon the size, scope, and special circumstances of the charter school.

(iv) The governing board of the charter school shall use the grant to meet the expenses of the school as established in the school's charter.

(b) The State Board of Education shall coordinate the distribution of federal monies appropriated to help fund costs for establishing and maintaining charter schools within the state.

(9) (a) A charter school may receive, hold, manage and use any devise, bequest, grant, endowment, gift, or donation of any property made to the school for any of the purposes of this part.

(b) It is unlawful for any person affiliated with a charter school to demand or request any gift, donation, or contribution from a parent, teacher, employee, or other person affiliated with the charter school as a condition for employment or enrollment at the school or continued attendance at the school.

Renumber remaining sections accordingly.

4. Page 16, Line 482:

After line 482 insert:

“(9) (a) If a charter school authorized by a local school board is found to be out of compliance with Section 53A-1a-507 or the school's charter,

the local school board shall take action as provided in Section 53A-1a-509.

(b) If the school does not remedy the deficiency within the established timeline, the local school board may:

(i) terminate the school’s charter; or

(ii) interrupt disbursements of state aid or withhold specific program funds.

(c) (i) A local school board shall notify the State Board of Education of any interruption of state funds to, or withholding of specific program funds from, a charter school.

(ii) A local school board shall return to the State Board of Education any state funds permanently withheld from a charter school.”

Renumber remaining subsections accordingly.

Representative Dillree’s motion to amend passed on a voice vote.

H.B. 152, as amended, then passed on the following roll call:

Yeas, 57; Nays, 16; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Becker | Biskupski | Bourdeaux | Daniels |
| Duckworth | Gowans | Hansen | Hendrickson |
| Jones | King | Litvack | McCartney |
| McGee | Morgan | Moss | Shurtliff |

Absent or not voting were: Representatives
Buffmire Goodfellow

H.B. 152, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Adams, the House voted to reconsider its action on **H.B. 273**.

RECONSIDERATION OF H.B. 273

H.B. 273, TAX AND CHARGE AMENDMENTS, was before the House upon its final passage.

On motion of Representative Adams, the House voted to circle **H.B. 273**.

MISCELLANEOUS BUSINESS

On motion of Representative Mascaro, the House voted to reconsider its action on **2nd Sub. H.B. 56**.

RECONSIDERATION OF 2ND SUB. H.B. 56

2nd Sub. H.B. 56, LOCAL GOVERNMENT LIEN FOR SERVICE, was before the House upon its final passage.

On motion of Representative Mascaro, the House voted to circle **2nd Sub. H.B. 56**.

MISCELLANEOUS BUSINESS

On motion of Representative Bird, the House voted to reconsider its action on **H.B. 150**.

RECONSIDERATION OF H.B. 150

H.B. 150, WORKERS' COMPENSATION – FIRE DEPARTMENT EMPLOYEES, was before the House upon its final passage.

On motion of Representative Murray, the House voted to circle **H.B. 150**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 24, 2004

The Senate passed, as amended, **S.B. 223**, TRANSPORTATION CONSTRUCTION AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 33**, MOBILE HOME PARK RESIDENCY ACT, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 240**, MOTION PICTURE TASK FORCE, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 51**, EDUCATION TECHNOLOGY SUPPORT FOR TESTING INITIATIVE, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 62**, STAY OF EXECUTION AMENDMENTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 114**, AMENDMENTS TO PRESCRIBING, PREPARATION, AND DISPENSING OF PRESCRIPTION DRUGS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 156**, SUBSTITUTE TEACHERS VOLUNTEER PROGRAM, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 157**, AUTHORIZATION TO PERFORM MARRIAGES, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 199**, OUTSOURCING STATE JOBS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 215**, COUNTY POWERS AMENDMENTS, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed **S.B. 241**, FUTURE FARMERS OF AMERICA SPECIAL LICENSE PLATE, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.J.R. 9**, RESOLUTION ON ETHNIC ADVISORY COUNCILS, by Senator J. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 223**, **S.B. 33**, **S.B. 240**, **Sub. S.B. 51**, **S.B. 62**, **S.B. 114**, **S.B. 156**, **S.B. 157**, **Sub. S.B. 199**, **2nd Sub. S.B. 215**, **S.B. 241**, and **S.J.R. 9**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 24, 2004

The Senate passed, **H.B. 81**, CRIMINAL LAW INTENT AMENDMENT, by Representative T. McCartney, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 96**, STATUTE OF REPOSE, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 161**, LAW ENFORCEMENT AMENDMENTS, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 211**, RENEWAL OF FISHING LICENSE, by Representative J. M. Philpot, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 235**, TURKEY HUNTING PERMITS, by Representative D. G. Buxton, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 81**, **H.B. 96**, **H.B. 161**, **Sub. H.B. 211**, and **H.B. 235** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 23, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 133**, PROPERTY TAX – VETERAN’S EXEMPTION, by Representative D. Bush; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 171**, PROPERTY TAX TREATMENT OF TRANSPORTABLE FACTORY–BUILT HOUSING UNITS, by Senator C. Bramble.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 133, read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 171, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 23, 2004

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 302**, VOLUNTARY CONTRIBUTION ACT AMENDMENTS, by Representative M. Styler, with the following amendments:

1. Page 6, line 152:
After “(2)” delete “A” and insert “Unless the employee agrees to pay the actual cost, a”; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 370**, TOURISM TAX ADVISORY BOARD, by Representative T. Kiser, and recommends it be placed on the Consent Calendar.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

H.B. 302, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

H.B. 370, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 24, 2004

The Public Utilities and Technology Committee recommends **H.B. 321**, MOTOR VEHICLE REGISTRATION REVISIONS, by Representative C. Bennion, be replaced and reports a favorable recommendation on **1st Sub. H.B. 321**, MOTOR VEHICLE REGISTRATION REVISIONS with the following amendments:

1. Page 6, Line 174:
After "iii" delete "\$1,000" and Insert "\$500"
2. Page 7, Line 181:
After "(B) to" delete "\$300" and Insert "\$200"
3. Page 10, Line 279:
After "first" delete "\$200" and Insert "\$150"
4. Page 11, Line 311:
After "The first" delete "\$200" and Insert "\$150"
5. Page 11, Line 325:
After "the first" delete "\$200" and Insert "\$150"
6. Page 12, Line 339:
After "(a) the first" delete "\$200" and Insert "\$150"

Stephen H. Urquhart, Chair

Report filed. On motion of Representative Urquhart, the report of the Public Utilities and Technology committee was adopted.

Sub. H.B. 321, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 24, 2004

The Education Committee reports a favorable recommendation on **H.B. 107**, APPROPRIATION TO MEET HIGHLY QUALIFIED TEACHER STANDARDS, by Representative K. Holdaway; and

The Education Committee reports a favorable recommendation on **S.B. 154**, SCHOOL BUILDING LEGISLATIVE TASK FORCE, by Senator H. Stephenson; and

The Education Committee reports a favorable recommendation on **S.B. 40**, CESAR CHAVEZ SCHOLARSHIP PROGRAM, by Senator J. Evans; and

The Education Committee reports a favorable recommendation on **S.C.R. 4**, RESOLUTION RECOGNIZING 50TH ANNIVERSARY OF LANDMARK CASE OF BROWN V. BOARD OF EDUCATION, by Senator J. Evans.

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

H.B. 107, read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 154, **S.B. 40**, and **S.C.R. 4**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 23, 2004

The Political Subdivisions Committee recommends **H.B. 140**, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS, by Representative L. Christensen, be replaced and reports a favorable recommendation on **1st Sub. H.B. 140**, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS with the following amendments:

1. Page 24, Line 737:

737 ~~[[**(4)** If a party requests a jury trial, the court shall transfer the case to the district court.]]~~; and

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. S.B. 50**, RURAL PLANNING AND DEVELOPMENT, by Senator T. Hatch, and recommends it be placed on the Consent Calendar.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 140, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

Sub. S.B. 50, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 23, 2004

The Government Operations Committee reports a favorable recommendation on **H.B. 363**, GOVERNMENT EFFICIENCY AND EFFECTIVENESS REVIEW COMMITTEE, by Representative P. Wallace, et al, with the following amendments:

1. Page 3, Line 75:

75 the Occupational and Professional Licensure Review Committee created by Section 36-23-102.

(3) The committee shall report by November 1st annually to the Government Operations Interim Committee; and

The Government Operations Committee reports a favorable recommendation on **H.B. 301**, VOTER REGISTRATION AMENDMENTS, by Representative M. Thompson; and

The Government Operations Committee reports a favorable recommendation on **S.B. 58**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator J. Valentine.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

H.B. 363, as amended, and **H.B. 301** read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 58, read the second time by short title and placed on the calendar for third reading.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 23, 2004

The Government Operations Committee has returned **H.B. 287**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, by Representative D. Aagard, to the Rules Committee with a recommendation that it be referred for interim study with the following amendments:

- 1. Page 11, Lines 311 through 318:

311 (m) (i) except as provided in Subsection (1)(m)(ii), a record concerning any individual that would disclose both:

312 [(i)] (A) that individual's name; and

313 [(ii)] (B) that individual's:

314 [(A)] (I) home address;

315 [(B)] (II) home telephone number;

316 [(C)] (III) Social Security number;

317 [(D)] (IV) birthdate; or

318 [(E)] (V) marital status ; and

(ii) this Subsection (1)(m) does not apply to:

(A) a record that must be disclosed in accordance with another statute; or

(B) a record that is otherwise classified and archived before June 1, 2004 .

- 2. Page 3, Lines 73 through 74:

73 (b) Upon request, a governmental entity ~~[[[]]shall[[[]]]~~ may provide [a] an existing record in a

74 particular format if:

James A. Ferrin, Chair

Report filed.

H.B. 287, as amended, returned to the Rules Committee.

* * *

Mr. Speaker:

February 24, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 101**, MENTAL HEALTH SERVICES COORDINATOR, by Representative D. Hogue; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 264**, IMPROVING MENTAL HEALTH SERVICES TO THE DEAF AND HARD-OF-HEARING TASK FORCE, by Representative D. Hogue; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 358**, AMENDMENTS TO ACCESS TO HEALTH

CARE PROVIDERS, by Representative B. Dee, and recommends that the bill be read for the first and second times; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 267**, UTAH PHARMACEUTICAL INSURANCE PROGRAM, by Representative D. Hogue; and

The Health and Human Services Committee recommends **H.B. 268**, CHILD WELFARE PROCESSES, by Representative M. Thompson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 268**, CHILD WELFARE PROCESSES with the following amendments:

1. Page 1, Line 14:
Delete lines 14 and 15
2. Page 2, Line 28:
Delete “expands” and insert “modifies”
3. Page 2, Line 33:
After “requires recording of” insert “unauthorized”
4. Page 2, Line 53:
Delete line 53
5. Page 2, Line 56:
Delete line 56
6. Page 9, Line 243:
After “beliefs” insert “and culture”
7. Page 9, Line 246:
After “religious beliefs” insert “, and culture.”
8. Page 15, Line 446:
After “individuals” insert “or specific information that could identify the referent”
9. Page 17, Line 496:
Delete “, and admit only” and insert a period
10. Page 17, Line 497:
Delete lines 497–499
11. Page 21, Line 618:
After “Any” insert “unauthorized”

12. Page 29, Line 886:
Delete lines 886 through 950

13. Page 35, Line 1078:
Delete lines 1078 through 1147

Renumber sections of the bill accordingly.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

H.B. 101, H.B. 264, H.B. 358, H.B. 267, and Sub. H.B. 268, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 24, 2004

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 47**, UNIFORM TRUST CODE, by Senator L. Hillyard, with the following amendments:

1. Page 10, Lines 284 through 300:

284 (c) A restriction provided under Subsection (1) does not prevent a creditor or person

285 described in Subsection (2)(a) from satisfying a claim or liability out of the settlor’s beneficial

286 interest in or transfer into trust if:

* * * Some lines not shown * * *

300 (vi) the transfer is made when the settlor is insolvent or renders the settlor insolvent;

2. Page 11, Line 322:

322 beneficial interest in or transfer into trust under Subsections (2)(c)[[(†)], (ii), (v), (vii), (viii), (ix),

3. Page 27, Lines 809 through 811:

809 (1) Before distributing to a trustee, the personal representative may require that the trust

810 be registered if the state in which it is to be administered provides for registration and that the

811 trustee inform the qualified beneficiaries as provided in Section [75-7-303] 75-7-811.

4. Page 29, Lines 875 through 877:

875 (h) “Qualified beneficiary” means a beneficiary who, on the date the beneficiary’s

876 qualification is determined;

877 (i) is a current distributee or permissible distributee of trust income or principal; or

5. Page 30, Line 922 through Page 31, Line 942:

922 (2) ~~Except as specifically provided in this chapter, the~~ ~~[[The]]~~ terms of a trust prevail over any provision of this chapter except:

* * * Some lines not shown * * *

929 (e) the effect of a spendthrift provision, ~~Section 26-6-14,~~ and the rights of certain creditors and assignees

930 to reach a trust as provided in Part 5, Creditor’s Claims–Spendthrift and Discretionary Trusts;

931 (f) the power of the court under Section ~~75-7-702~~ to require, dispense with, or modify

932 or terminate a bond;

933 ~~[[g) the power of the court under Subsection 75-7-708(2) to adjust a trustee’s~~

934 ~~compensation specified in the terms of the trust which is unreasonably low or high;]]~~

935 ~~[[h)]]~~ (g) the effect of an exculpatory term under Section ~~75-7-1008;~~

936 ~~[[i)]]~~ (h) the rights under Sections ~~75-7-1010 through 75-7-1013~~ of a person other than a

937 trustee or beneficiary;

938 ~~[[j)]]~~ (i) periods of limitation for commencing a judicial proceeding;

939 ~~[[k) the power of the court to take such action and exercise such jurisdiction as may be~~

940 ~~necessary in the interests of justice;]] and~~

941 ~~[[~~(4)~~]] (i) the subject-matter jurisdiction of the court and venue for commencing a proceeding~~

942 ~~as provided in Sections 75-7-203 and 75-7-205.~~

6. Page 34, Lines 1020 through 1030:
Delete lines 1020 through 1030 and renumber the remaining Sections accordingly.

7. Page 43, Lines 1317 through 1318:

1317 ~~To the extent a beneficiary's interest is not protected by a spendthrift provision or Section 26-6-14 , the~~

1318 ~~court may authorize a creditor or assignee of the beneficiary to reach the beneficiary's interest~~

8. Page 59, Lines 1800 through 1808:

1800 ~~75-7-708. Compensation of trustee.~~

1801 ~~[[~~(4)~~]] If the terms of a trust do not specify the trustee's compensation, a trustee is entitled~~

1802 ~~to compensation that is reasonable under the circumstances.~~

1803 ~~[[~~(2)~~]] If the terms of a trust specify the trustee's compensation, the trustee is entitled to be~~

1804 ~~compensated as specified, but the court may allow more or less compensation if:~~

1805 ~~(a) the duties of the trustee are substantially different from those contemplated when~~

1806 ~~the trust was created; or~~

1807 ~~(b) the compensation specified by the terms of the trust would be unreasonably low or~~

1808 ~~high.]]~~

9. Page 61, Lines 1860 through 1864:

1860 ~~investment complies with the prudent investor rule of Section 75-7-901. The trustee may be~~

1861 ~~compensated by the investment company or investment trust for providing those services out of~~

1862 fees charged to the trust[[if the trustee at least annually notifies the persons entitled under

1863 Section 75-7-811 to receive a copy of the trustee's annual report, disclosing the existence of the

1864 compensation, the reasons for the compensation, and how the amount was calculated]].

10. Page 61, Lines 1870 through 1879:

1870 (8) This section does not preclude the following transactions by the trustee [if fair to the

1871 beneficiaries]:

* * * Some lines not shown * * *

1879 (e) an advance by the trustee of money for the protection of the trust

(f) collect, hold, and retain trust assets received from a trustor until, in the judgment of the trustee, disposition of the assets should be made. The assets may be retained even though they include an asset in which the trustee is personally interested;

(g) acquire an undivided interest in a trust asset in which the trustee, in any trust capacity, holds an undivided interest;

(h) borrow money to be repaid from trust assets or otherwise;

(i) advance money to be repaid from trust assets or otherwise; or

(j) employ persons, including attorneys, auditors, investment advisers, or agents, even if they are associated with the trustee, to advise or assist the trustee in the performance of his administrative duties; or

(ii) act without independent investigation upon their recommendations; and

(iii) instead of acting personally, employ one or more agents to perform any act of administration, whether or not discretionary;

(k) if a governing instrument or order requires or authorizes investment in United States government obligations, a trustee may invest in those obligations, either directly or in the form of securities or other interests, in any open-end or closed-end management type investment company or investment trust registered under the provisions of the Investment Company Act of 1940, 15 U.S.C. Sections 80a-1 through 80a-64 if:

(i) the portfolio of the investment company or investment trust is limited to United States government obligations, and repurchase agreements are fully collateralized by United States government

obligations; and

(ii) the investment company or investment trust takes delivery of the collateral for any repurchase agreement either directly or through an authorized custodian .

11. Page 63, Lines 1942 through 1944:

1942 ~~(3) A trustee shall send to the [[distributees or permissible distributees of trust income or~~

1943 ~~principal, and, except to the extent the terms of the trust provide otherwise, to other]] qualified~~

1944 ~~beneficiaries who request it, at least annually and at the termination of the trust, a report of the~~

12. Page 64, Line 1952:

1952 ~~(4) A qualified beneficiary may waive the right to a trustee's report or other information~~

13. Page 65, Line 1995 through Page 68, Line 2089:

1995 ~~75-7-814~~. Specific powers of trustee.

1996 ~~Without limiting the authority conferred by Section 75-7-813, a trustee may:~~

* * * Some lines not shown * * *

2086 ~~(25) sign and deliver contracts and other instruments that are useful to achieve or~~

2087 ~~facilitate the exercise of the trustee's powers; [[and]]~~

2088 ~~(26) on termination of the trust, exercise the powers appropriate to finalize the~~

2089 ~~administration of the trust and distribute the trust property to the persons entitled to it ; and~~

~~(27) (a) delegate investment and management functions that a prudent trustee of comparable skills could properly delegate under the circumstances. The trustee shall exercise reasonable care, skill, and caution in:~~

~~(i) selecting the agent;~~

~~(ii) establishing the scope and terms of the delegation consistent with the purposes of the trust; and~~

~~(iii) periodically reviewing the agent's actions to monitor the~~

agent's performance and compliance with the terms of the delegation.

(b) In performing a delegated function, an agent has a duty to the trust to exercise reasonable care to comply with the terms of the delegation.

(c) A trustee who complies with the requirements of this Subsection (27)(a) is not liable to the beneficiaries or to the trust for the decisions or actions of the agent to whom the function was delegated. .

14. Page 70, Lines 2137 through 2139:

2137 (1) Except as otherwise provided in Subsection (2), a trustee who invests and manages

2138 trust assets owes a duty to the beneficiaries of the trust to comply with the prudent investor rule

2139 set forth in this chapter. If a trustee is named on the basis of a trustee's representations of special skills or expertise, the trustee has a duty to use those special skills or expertise.

15. Page 74, Lines 2281 through 2284:

2281 75-7-1004. Attorney's fees and costs.

2282 (1) In a judicial proceeding involving the administration of a trust, the court may, as justice

2283 and equity may require, award costs and expenses, including reasonable attorney's fees, to any

2284 party, to be paid by another party or from the trust that is the subject of the controversy.

(2) If a trustee defends or prosecutes any proceeding in good faith, whether successful or not, the trustee is entitled to receive from the trust the necessary expenses and disbursements, including reasonable attorney's fees incurred.

16. Page 75, Line 2314 through Page 76, Line 2323:

2314 [(1)] A term of a trust relieving a trustee of liability for breach of trust is unenforceable

2315 to the extent that it:

2316 [(a)] (1) relieves the trustee of liability for breach of trust committed in bad faith or with

2317 reckless indifference to the purposes of the trust or the interests of the beneficiaries; or

2318 ~~[(b)] (2) was inserted by the trustee or fiduciary without disclosure of its existence and contents~~ ~~[[as the result of an abuse by the trustee of a fiduciary or confidential~~

2319 ~~relationship to the settlor]]~~.

2320 ~~[(2) An exculpatory term drafted or caused to be drafted by the trustee is invalid as an~~

2321 ~~abuse of a fiduciary or confidential relationship unless the settlor is or was represented by~~

2322 ~~independent counsel or the trustee proves that the exculpatory term is fair under the~~

2323 ~~circumstances and that its existence and contents were adequately communicated to the settlor.]]~~

17. Page 76, Lines 2328 through 2333:

2328 ~~the breach, or ratified the transaction constituting the breach, unless~~ ~~[[:~~

2329 ~~(1) the consent, release, or ratification of the beneficiary was induced by improper~~

2330 ~~conduct of the trustee;~~

2331 ~~(2)] at the time of the consent, release, or ratification, the beneficiary did not know of~~

2332 ~~the beneficiary's rights or of the material facts relating to the breach~~ ~~[[; or~~

2333 ~~(3) the beneficiary was not represented by independent counsel]]~~.

18. Page 79, Line 2442 through Page 80, Line 2457:

2442 ~~75-7-1103~~. Application to existing relationships.

2443 (1) Except as otherwise provided, this chapter applies to:

2444 (a) ~~all trusts created before, on, or after~~ ~~[[May]] July 1, 2004;~~

2445 (b) ~~all judicial proceedings concerning trusts commenced on or after~~ ~~[[May]] July 1, 2004; and~~

2446 (c) ~~judicial proceedings concerning trusts commenced before~~ ~~[[May]] July 1, 2004 unless the~~

2447 ~~court finds that application of a particular provision of this chapter would substantially interfere~~

2448 with the effective conduct of the judicial proceedings or prejudice the rights of the parties, in

2449 which case the particular provision of this chapter does not apply and the superseded section

2450 will apply.

2451 (2) Any rule of construction or presumption provided in this chapter applies to trust

2452 instruments executed before ~~[[May]]~~ July 1, 2004 unless there is a clear indication of a contrary intent

2453 in the terms of the trust.

2454 (3) An act done before ~~[[May]]~~ July 1, 2004 is not affected by this chapter.

2455 (4) If a right is acquired, extinguished, or barred upon the expiration of a prescribed

2456 period that has commenced to run under any other statute before ~~[[May]]~~ July 1, 2004, that statute

2457 continues to apply to the right even if it has been repealed or superseded.; and

The Business and Labor Committee recommends **1st Sub. S.B. 106**, DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES, by Senator D. C. Buttars, be replaced and reports a favorable recommendation on **2nd Sub. S.B. 106**, DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES with the following amendments:

1. Page 2, Lines 48 through 50:

48 (2) A holder of a check that has been dishonored may take possession of a motor

49 vehicle to recover the amounts owed under Subsection 7-15-1(7) if:

50 (a) the check amount equals or exceeds ~~[[250]]~~ 500 ;; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 279**, COUNTERFEIT TOBACCO PRODUCTS, by Representative E. Hutchings, with the following amendments:

1. Page 3, Lines 59 through 62:

- 59 that;
- 60 ~~(a)~~ evidences payment of the tax on cigarettes required by Section
 59-14-204 ~~or~~
- 61 ~~(b)~~ indicates that the cigarettes are intended for a sale or distribution
in Utah that is
- 62 exempt from state tax under Subsection 59-14-204.5(1)].
2. Page 9, Lines 266 through 268:
- 266 (1) A person who ships unstamped cigarette packages into the state,
other than to a
- 267 licensed manufacturer, importer, distributor, or retailer who is
authorized to affix stamps , shall first file with the commission a
- 268 notice of shipment.
3. Page 10, Lines 287 through 289:
- 287 ~~(2) [Notwithstanding]~~ In addition to any other provision of law,
the sale or possession for sale of
- 288 counterfeit cigarettes, as they are defined in Section 59-14-102, by
a manufacturer, importer,
- 289 distributor, or retailer shall result:
4. Page 10, Lines 290 through 291:
- 290 (a) in the seizure by the commission or law enforcement agency of
the ~~[[manufacturer]] manufacturer's~~ ,
- 291 importer's, distributor's, or retailer's:
5. Page 11, Lines 326 through 327:
- 326 (4) (a) The sale or possession for sale of counterfeit cigarettes by a
manufacturer,
- 327 importer, distributor, or retailer is punishable by a court of law as
follows;; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 148, OPTOMETRY AMENDMENTS**, by Representative B. Last.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

Sub. S.B. 47, and **2nd Sub. S.B. 106**, read the second time by short title and placed on the calendar for third reading.

H.B. 279, as amended, and **H.B. 148**, read the second time by short title and referred to the Rules Committee for prioritization.

THIRD READING CALENDAR

Sub. H.B. 266, REVISIONS TO CHILD WELFARE, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to circle **Sub. H.B. 266**.

* * *

H.B. 270, RESIDENCE REQUIREMENTS FOR DRIVER LICENSE, read the third time by short title and placed on its final passage.

H.B. 270, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Murray | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|---------|--------|
| Alexander | Buttars | Dougall | Morley |
| Moss | Newbold | | |

H.B. 270, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 341, CHILDREN’S INTERNET PROTECTION ACT, read the third time by short title and placed on its final passage.

Representative Noel proposed the following amendment:

- 1. Page 2, Line 39:
After “any” insert “publicly accessible”
- 2. Page 2, Line 48:
After “any” insert “publicly accessible”

Representative Noel’s motion to amend passed on a voice vote.

###

Representative McGee proposed the following amendment:

- 1. Page 2, Line 34:
Delete “funds” and insert “grants”

Representative McGee motion to amend failed on a voice vote.

H.B. 341, as amended, then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McCartney | Morgan |

- 48 ▶ modifies definitions related to child abuse and neglect in the criminal code;
- ▶ modifies definitions related to child abuse and neglect in the Juvenile Court Act of 1996;

2. Page 28, Line 862 through Page 29, Line 865:

862 (v) ~~[[of potential]]~~ that there are resources available to assist the parent or guardian in locating:

863 (A) a parent advocate;

864 (B) a qualified attorney; and

865 (C) potential expert witnesses to testify on behalf of the child, the parents, or the

3. Page 39, Lines 1191 through 1193:

1191 (c) “Mental cruelty” means conduct which:

1192 (i) causes serious chronic anguish in a child; [[of]]

1193 (ii) impairs the child’s social and emotional functioning ; or
(iii)

causes substantial emotional harm to a child .

4. Page 40, Lines 1212 through 1214:

1212 (v) any combination of two or more reportable physical injuries~~[[~~
~~not resulting from~~

1213 ~~spanking,]]~~ inflicted by the same person~~[[[]],[[]]]~~ either at the same time or on different occasions

1214 within a two-year period;

5. Page 41, Lines 1242 through 1245:

1242 (5) A parent or legal guardian who refuses traditional medical or mental health

1243 treatment on behalf of a child in order for the child to receive nontraditional medical or mental

1244 health treatment under the care of a medical, mental health, licensed, or approved practitioner may not, for that reason alone, be considered to have committed an offense

1245 under this section.

6. Page 44, Lines 1347 through 1349:

1347 ~~[(s)]~~ (t) (i) “Neglected child” means a minor~~[-(A)]~~ whose parent, guardian, or

1348 custodian has demonstrated repeated or substantial failure to provide adequate food, shelter,

1349 clothing, training, ~~[[or]]~~ physical safety ~~[[to]]~~ , or any other care necessary for the health, safety, or well-being of the minor.

7. Page 56, Line 1728 through Page 57, Line 1747:

1728 (ii) In a case involving potential medical or mental health neglect, the court may not

1729 order an examination, treatment, or special care under Subsection (2)(n)(i) or any other

1730 provision of law unless:

1731 (A) at least one of the minor’s parents or guardian consents to the examination,

1732 treatment, or special care;

1733 (B) the examination, treatment, or special care ordered by the court does not pose a

1734 significant risk of producing serious side effects, including:

1735 (I) death;

1736 (II) blindness;

1737 (III) suppression of growth;

1738 ~~[(IV) depression;]~~

1739 ~~[(V)]~~ (IV) behavior disturbances;

1740 ~~[(VI)]~~ (V) thought disorders;

1741 ~~[(VII)]~~ (VI) tardive dyskinesia;

1742 ~~[(VIII)]~~ (VII) brain function impairment; or

1743 ~~[(IX)]~~ (VIII) emotional or physical harm resulting from the compulsory nature of the treatment

1744 or special care; or

1745 (C) clear and convincing evidence demonstrates ~~[[beyond a reasonable doubt]]~~ that the examination, treatment,

1746 or special care provided by the parents or legal guardian, or the lack thereof, will result in an

1747 immediate serious threat to the life or essential physiological functions of the minor.

8. Page 60, Lines 1840 through 1843:

1840 (b) a parent or guardian engages in ~~[or threatens the minor with]~~ unreasonable conduct

1841 that ~~[[[]]]~~causes the minor~~[[[]]]~~ ~~[to suffer]~~ serious ~~[[[]]]~~emotional damage~~[[[]]]~~ or constitutes mental cruelty and there are no

1842 reasonable means available by which the minor’s emotional health may be protected without

1843 removing the minor from the custody of the minor’s parent or guardian;

9. Page 71, Line 2189 through Page 72, Line 2202:

2189 (6) (a) If a parent is incarcerated or institutionalized, the court shall order reasonable

2190 services unless it determines that those services would be seriously detrimental to the health or

2191 safety of the minor. In determining detriment, the court shall consider:

2192 (i) the age of the child~~[-];~~

2193 (ii) the degree of parent-child bonding~~[-];~~

2194 (iii) the length of the sentence~~[-];~~

2195 (iv) the nature of the treatment~~[-];~~

2196 (v) the nature of the crime or ~~[illness,]~~ mental ~~[[incapacity]]~~ illness ;

2197 (vi) the degree of detriment to the ~~[child]~~ child’s health and safety if services are not

2198 offered ~~[and,];~~

2199 (vii) for minors ten years of age or older, the minor’s attitude toward the

2200 implementation of family reunification services[, and], which shall be given particular

2201 consideration and weight; and

2202 (viii) any other appropriate factors.

Representative Harper's motion to amend passed on a voice vote.

###

Representative Lawrence proposed the following amendment:

1. Page 8, Line 221:
Reinstate line 221.
2. Page 74, Lines 2268–2269:
Reinstate the deleted language and delete the new language.

A request was made to divide the motion. Item 10 failed to passed on the following roll call:

Yeas, 31; Nays, 38; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| S. Allen | Anderson | Becker | Bird |
| Biskupski | Bourdeaux | Buffmire | Curtis |
| Daniels | Dee | Duckworth | Dunnigan |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Jones |
| King | Lawrence | Litvack | McCartney |
| McGee | Morgan | Moss | Pace |
| Shurtliff | Ure | Webb | |

Voting in the negative were: Representatives

| | | | |
|----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Dayton | Donnelson |
| Ferrin | Ferry | Frank | Harper |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Mascaro | Morley |
| Murray | Newbold | Noel | Peterson |
| Philpot | Seitz | G. Snow | Thompson |
| Wallace | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|--------|----------|---------|------|
| Bowman | Dillree | Dougall | Love |
| Styler | Urquhart | | |

Item 2 failed on a voice vote.

###

Representative Bennion proposed the following amendment:

1. Page 10, Line 294 through Page 11, Line 307

294 ~~[[F]](iii) lack of proper parental care by reason of the fault or habits of the parent,~~

295 ~~guardian, or custodian;[[F]]~~

296 ~~[(iv) failure or refusal of a parent, guardian, or custodian to provide proper or necessary~~

297 ~~subsistence, education, or medical care, including surgery or psychiatric services when~~

298 ~~required, or any other care necessary for his health, safety, morals, or well-being; or]~~

299 ~~[(v) a child at[[(iii)]] (iv) substantial risk of [being neglected] neglect or [abused] abuse~~

300 ~~because another child in the same home is neglected or abused[-]; and~~

301 ~~[(b) The aspect of neglect relating to education, described in Subsection (18)(a)(iv),~~

302 ~~means that, after receiving notice that a child has been frequently absent from school without~~

303 ~~good cause, or that the child has failed to cooperate with school authorities in a reasonable~~

304 ~~manner,]~~

305 ~~[[(iv)]] (v) failure by a parent or guardian [fails] to make a good faith effort to ensure that~~

306 ~~[the] a child receives an appropriate education[-] after having received notice that the child has~~

307 ~~been frequently absent from school without good cause.~~

2. Page 24, Lines 728 through 730:

728 (A) a reasonable person acting under the existing circumstances would expect the

729 discipline to create a [[substantial]] serious risk of physical abuse of, or mental cruelty to, the child;

730 (B) the discipline was not justified under Section 76-2-401; or

3. Page 25, Lines 752 through 756:

752 (4) When circumstances within the family pose a [[substantial]] serious threat to the child's health,

753 safety, or welfare, the state's interest in the child's welfare is paramount to the rights of a parent.

754 The division may obtain custody of the child for a planned period and place him in a safe

755 environment, in accordance with the requirements of Title 78, Chapter 3a, Part 3, Abuse,

756 Neglect, and Dependency Proceedings.

Representative Bennion's motion to amend failed on a voice vote.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 266.**

THIRD READING CALENDAR

H.B. 275, ADOPTION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hardy, the House voted to delete **H.B. 275** in title and body and insert **Sub. H.B. 275** in lieu thereof.

Representative Hardy proposed the following amendment:

1. Page 14, Line 424 through Page 15, Line 450:

424 [[~~(3) An unmarried, biological father who resides in another state shall be presumed to~~

425 know of, and must strictly comply with, the requirements of this section, unless he proves the

426 following:

427 (a) he was not a resident of this state at the time the mother executed her consent for

428 adoption or relinquished the child to a licensed child placing agency;

429 (b) the child was not conceived in this state;

430 (c) he attempted, through every reasonable means, to locate the mother or child, but did

431 not know or have reason to know prior to the time the mother executed her consent for

432 adoption or relinquished the child to a licensed child placing agency, that the mother or child

433 was located in this state; and

434 (d) he manifested a full commitment to his parental responsibilities as follows:

435 (i) he complied with the requirements of Subsections (2)(b)(i) and (ii);

436 (A) prior to the time the mother executed a consent for adoption or relinquished the

437 child to a licensed child placing agency; or

438 (B) within a reasonable time from the date he knew, or through the exercise of

439 reasonable diligence should have known, that the mother or child was located in this state;

440 (ii) he attempted, through every reasonable means, to locate the mother or child but he

441 did not know or have reason to know prior to the time the mother executed her consent for

442 adoption or relinquished the child to a licensed child placing agency, that the mother or child

443 was located in this state; and

444 (A) he complied with the most stringent and complete requirements of the state where

445 the mother resided immediately before coming to this state, in order to protect and preserve his

446 ~~parental interest and his rights in the child in cases of adoption; or~~
 447 ~~(B) if he did not know or have reason to know where the mother~~
~~resided immediately~~
 448 ~~before coming to this state, he complied with the most stringent and~~
~~complete requirements of~~
 449 ~~the state where the child was conceived, in order to protect and~~
~~preserve his parental interest~~
 450 ~~and his rights in the child in cases of adoption.]]~~

2. Page 15, Lines 451 through 452:

451 [[F]](3)[H] [[~~4~~]] An unmarried, biological father whose consent
 is required under Subsection
 452 (1) [[F]]or[H][I] (2)[~~or (3)~~] may nevertheless lose his right to
 consent if the court determines, in

3. Page 15, Line 456:

456 [[F]](4)[H] [[~~5~~]] If there is no showing that an unmarried,
 biological father has consented to or

4. Page 16, Line 464:

464 [[F]](5)[H] [[~~6~~]] An unmarried, biological father who does not
 fully and strictly comply with

5. Page 16, Line 488 through Page 17, Line 503:

488 [[F]](4) The Legislature finds that an unmarried biological father
 who resides in another
 489 state may not, in every circumstance, be reasonably presumed to
 know of, and strictly comply
 490 with, the requirements of this chapter. Therefore when all of the
 following requirements have
 491 been met, that unmarried biological father may contest an adoption,
 prior to finalization of the
 492 decree of adoption, and assert his interest in the child; the court may
 then, in its discretion,
 493 proceed with an evidentiary hearing under Subsection
 78-30-4.16(2);]

494 [(a) the unmarried biological father resides and has resided in another state where the

495 unmarried mother was also located or resided;]

496 [(b) the mother left that state without notifying or informing the unmarried biological

497 father that she could be located in the state of Utah;]

498 [(c) the unmarried biological father has, through every reasonable means, attempted to

499 locate the mother but does not know or have reason to know that the mother is residing in the

500 state of Utah; and]

501 [(d) the unmarried biological father has complied with the most stringent and complete

502 requirements of the state where the mother previously resided or was located, in order to

503 protect and preserve his parental interest and right in the child in cases of adoption.]

Representative Hardy’s motion to amend passed on a voice vote.

Sub. H.B. 275, as amended, then passed on the following roll call:

Yeas, 63; Nays, 10; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Hardy | Harper | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |

| | | | |
|-----------|---------|-------------|-------|
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|---------|-------------|----------|--------|
| Bennion | Duckworth | Frank | Gowans |
| Hansen | Hendrickson | Lockhart | Morley |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | |
|----------|----------|
| Holdaway | Urquhart |
|----------|----------|

Sub. H.B. 275, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 119, FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT, read the third time by short title and placed on its final passage.

Sub. H.B. 119 then passed on the following roll call:

Yeas, 68; Nays, 6; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-----------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|---------|---------|
| Biskupski | Bourdeaux | Daniels | Litvack |
| McCartney | McGee | | |

Absent or not voting was: Representative

E. Hutchings

Sub. H.B. 119 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

H.B. 251, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Alexander, the House voted to recall **H.B. 230**, PROPERTY TAX LEVY FOR EDUCATION, from the Senate.

THIRD READING CALENDAR

H.B. 324, SAFE DRINKING WATER ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Moss, the House voted to circle **H.B. 324**.

* * *

H.B. 314, CONSUMER PROTECTION REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.B. 314**.

* * *

H.B. 343, PRACTICE PERMIT REQUIREMENT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Wallace proposed the following amendment:

- Page 8, Line 243:
Delete "40" and insert "50"

Representative Wallace's motion to amend failed on a voice vote.

H.B. 343, as amended, then passed on the following roll call:

Yeas, 64; Nays, 5; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|-------------|--------|--------|----------|
| Dayton | Hughes | Morley | Thompson |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|----------|-----------|--------|
| S. Allen | Bigelow | Bourdeaux | Bowman |
| Harper | Lockhart | | |

H.B. 343, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

H.B. 153, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 24, 2004

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 348**, Privacy Amendments (Rep. M. Thompson) be replaced with **1st Substitute H.B. 348**, Privacy Amendments (Rep. M. Thompson) and further recommends it be assigned to the Public Utilities Standing Committee; and

The Rules Committee has ordered the following House bills printed and recommends the following bill be assigned to standing committee:

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 338 Bottle Bill Amendments (Rep. T. McCartney)

REVENUE AND TAXATION

H.B. 315 Local Option Sales and Use Tax Amendments
(Rep. J. Dougall); and

The Rules Committee recommends that the following bill be placed on the Third Reading Calendar for Senate bills:

1st Sub. S.B. 128 Long-term Care Facilities Amendments
(Sen. L. Blackham); and

The Rules Committee recommends that the following bills and resolutions, having been read for the second time, be placed on the Third Reading Calendar:

1st Sub. H.B. 283 Department of Agriculture and Food Amendments
(Rep. D. Ure)

H.B. 302 Voluntary Contribution Act Amendments (Rep. M. Styler)

H.C.R. 10 Resolution Recognizing National Conference of State Legislatures Annual Meeting in Salt Lake City
(Rep. D. Hogue)

H.B. 148 Optometry Amendments (Rep. B. Last)

H.B. 279 Counterfeit Tobacco Products (Rep. E. Hutchings)

1st Sub. H.B. 137 Campaign Finance Disclosure in Municipal Elections
(Rep. J. Dougall)

H.B. 357 Continuing Education for Real Estate Professionals
(Rep. J. S. Adams)

H.B. 364 Profits from Sale of Crime Memorabilia (Rep. S. Daniels)

1st Sub. H.J.R. 17 Resolution Urging Action for Apparent Breaches of Utah's Enabling Act and Federal Constitution
(Rep. M. Noel)

H.B. 308 Vehicle Restraint System Amendments (Rep. C. Frank)

H.B. 345 Earned Income Tax Credit (Rep. J. Biskupski)

H.B. 147 Municipal Code Condemnation Amendments
(Rep. L. Christensen)

1st Sub. H.B. 261 Gift Certificates – Eliminating Expiration Date
(Rep. T. McCartney)

H.B. 332 Veterans Special Group License Plate Amendments
(Rep. S. Mascaro)

H.B. 133 Property Tax – Veteran's Exemption (Rep. D. Bush)

H.C.R. 11 Resolution on Higher Education Remedial Classes
(Rep. M. Dillree)

- 1st Sub. H.B. 140** Child and Family Services and Related Judicial Code Amendments (Rep. L. Christensen)
- 1st Sub. H.B. 268** Child Welfare Processes (Rep. M. Thompson)
- H.B. 358** Amendments to Access to Health Care Providers (Rep. B. Dee)
- H.B. 365** Disclosure of State Employees' Compensation and Benefits (Rep. R. Bigelow)

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 25, 2004, at 9:00 a.m.

THIRTY-EIGHTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Erin Peterson, daughter of Representative Darin Peterson.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 24, 2004
The Senate passed **S.B. 194**, PLUMBING APPRENTICE AMENDMENTS, by Senator P. Hellewell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 194**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 24, 2004
The President of the Senate has signed **2nd Sub. H.B. 198**, CHILD WELFARE COURT REPORTS, by Representative M. Thompson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 206**, CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS, by Representative M. Noel, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 198** and **2nd Sub. H.B. 206** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, the House voted that all House and Senate bills reported out by standing committees be referred to the Rules

Committee for prioritization and upon close of Legislative business today, all House and Senate bills in possession of standing committees be reported to the House and referred to the Rules Committee for prioritization. This motion does not include House and Senate bills recommended for placement upon the Consent Calendar.

CONSENT CALENDAR

H.B. 139, EVIDENCE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 139 then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-----------|------------|
| Alexander | Bryson | Dayton | Goodfellow |
| Litvack | Mascaro | McCartney | Ure |
| Urquhart | Wallace | Webb | |

H.B. 139 transmitted to the Senate for its consideration.

* * *

H.B. 347, STATE HIGHWAY DESIGNATION CHANGES, read the third time by short title and placed on its final passage.

H.B. 347 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|------------|--------|
| Bryson | Dayton | Goodfellow | Gowans |
| Mascaro | McCartney | Webb | |

H.B. 347 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Hogue, the House voted to recall **H.B. 189** from the Office of Legislative Research and General Counsel.

* * *

On motion of Representative Hogue, the House voted to reconsider its action on **H.B. 189**. (Held for further amendment and placed at the top of the House Third Reading Calendar; Senate bills to be considered first.)

THIRD READING CALENDAR

S.B. 38, ARSON OFFENCE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 38 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|--------|----------|
| Adams | Bigelow | Bryson | Lockhart |
| Mascaro | McCartney | Webb | |

S.B. 38 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 138, FISHING AND HUNTING LICENSE AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 138 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |

| | | | |
|-----------|-------------|--------------|------------|
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|----------|---------|-----------|
| Bryson | Lockhart | Mascaro | McCartney |
|--------|----------|---------|-----------|

Sub. S.B. 138 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 124, PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to delete **Sub. S.B. 124** in title and body and insert **2nd Sub. S.B. 124** in lieu thereof.

2nd Sub. S.B. 124 then passed on the following roll call:

Yeas, 64; Nays, 1; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|----------|----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |

| | | | |
|-----------|----------|--------------|-------------|
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| Jones | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative
Peterson

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Alexander | Bourdeaux | D. Clark | Hansen |
| Holdaway | King | Morley | Thompson |
| Ure | Urquhart | | |

2nd Sub. S.B. 124 returned to the Senate for further consideration.

* * *

Sub. S.B. 44, CHILD CARE CENTERS REGULATIONS, read the third time by short title and placed on its final passage.

Sub. S.B. 44 then passed on the following roll call:

Yeas, 56; Nays, 13; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bird |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-----------|-------------|
| Bigelow | Biskupski | Dayton | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Jones | Litvack | McCartney | Moss |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|------|
| S. Allen | Bourdeaux | D. Cox | King |
| G. Snow | Ure | | |

Sub. S.B. 44 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 134, GOVERNOR'S COMMISSION FOR WOMEN AND FAMILIES, read the third time by short title and placed on its final passage.

Representative Ferrin proposed the following amendment:

1. Page 4, Line 109 (goldenrod copy):
Delete "2006" and insert "2005"

Representative Ferrin's motion to amend passed on a voice vote.

Sub. S.B. 134, as amended, then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Agaard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |

| | | | |
|----------|----------|-------------|-----------|
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative
Dayton

Absent or not voting were: Representatives
Adams Bigelow Styler

Sub. S.B. 134, as amended, returned to the Senate for further consideration.

* * *

S.B. 133, BULK DELIVERY OF MOTOR FUEL, read the third time by short title and placed on its final passage.

S.B. 133 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-----------|------|
| Adams | Bigelow | Biskupski | Noel |
| Philpot | Styler | Wallace | |

S.B. 133 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 63, WITNESS TAMPERING AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 63 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|---------|---------|--------|
| S. Allen | Bigelow | Bird | Curtis |
| Hughes | McGee | Wallace | |

S.B. 63 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 143, CRIMINAL OFFENSE ATTEMPT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 143 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|---------|
| Becker | Bigelow | Buxton | Mascaro |
| Shurtliff | | | |

S.B. 143 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 123, COURT REPORTER AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 123 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------|--------|-----------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|-------------|-------------|--------------|-------------|
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|-----|--------|
| S. Allen | Dayton | Dee | Harper |
| Hughes | Webb | | |

S.B. 123 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 113, ADMINISTRATIVE PROCEDURES ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 113 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|--------------|-------------|-------------|----------|
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|--------|-----------|
| Bennion | Bourdeaux | Hughes | McCartney |
|---------|-----------|--------|-----------|

S.B. 113 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 149, PETE SUAZO UTAH ATHLETIC COMMISSION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 149 then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Curtis |
| Daniels | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |

| | | | |
|---------|----------|-------------|----------|
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | |
|--------|--------|
| D. Cox | Dayton |
|--------|--------|

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|-------|
| Bennion | Bourdeaux | Hughes | Jones |
| Lockhart | McCartney | | |

S.B. 149 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess for 10 minutes.

Speaker Pro Tem Curtis called the House to order at 10:50 a.m.

INTRODUCTION OF BILLS

H.B. 2, General Obligation Bonds and Capital Facilities Authorizations (L. Pace), read the first time by short title and referred to the Rules Committee.

H.B. 328, Revenue Bond and Capital Facilities Authorizations (L. Pace), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 144, CORPORATIONS SOLE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 144, as amended, then passed on the following roll call:

Yeas, 62; Nays, 2; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Christensen | D. Clark | D. Cox | Curtis |

| | | | |
|-----------|--------------|------------|----------|
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Moss | Murray | Newbold | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

Harper Philpot

Absent or not voting were: Representatives

| | | | |
|------------|--------|-------------|-----------|
| Bigelow | Buxton | S. Clark | Duckworth |
| Goodfellow | Jones | Litvack | McCartney |
| Morley | Noel | M. Stephens | |

S.B. 144, as amended, returned to the Senate for further consideration.

* * *

S.B. 147, CONDOMINIUM AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 147 then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | B. Johnson | King |
| Kiser | Last | Lawrence | Litvack |

| | | | |
|----------|-----------|----------|-----------|
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Bigelow | Bryson | S. Clark | Duckworth |
| Goodfellow | E. Hutchings | Jones | Morley |
| Noel | Urquhart | M. Stephens | |

S.B. 147 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

RECONSIDERATION OF H.B. 189

H.B. 189, TOBACCO COMPLIANCE AMENDMENTS, was before the House upon its reconsideration.

On motion of Representative Alexander, the House voted to circle **H.B. 189**.

* * *

H.B. 336, CLAIMS ON REAL PROPERTY, read the third time by short title and placed on its final passage.

H.B. 336, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |

| | | | |
|-----------|----------|--------------|------------|
| Ferry | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|----------|-----------|
| Bigelow | Bowman | S. Clark | Duckworth |
| Goodfellow | Jones | Morley | Noel |
| M. Stephens | | | |

H.B. 336, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 325, MOTOR VEHICLE INSURANCE AMENDMENT, read the third time by short title and placed on its final passage.

Representative Bennion proposed the following amendment:

1. Page 1, Lines 12 through 15

12 ▶ provides that an at-fault driver or an insurer issuing a motor vehicle insurance policy that covers an

13 at-fault driver may not reduce compensation to an injured party based on the injured

14 party not being covered by a policy of insurance that provides personal injury

15 protection coverage.

2. Page 6, Lines 157 through 160:

157 (10) ~~[[An]]~~ An at-fault driver or an insurer issuing a policy of insurance under this part that is covering an at-fault

158 driver may not reduce compensation to an injured party based on the injured party not being

159 covered by a policy of insurance that provides personal injury protection coverage under

160 Sections 31A-22-306 through 31A-22-309.

Representative Bennion's motion to amend passed on a voice vote.

H.B. 325, as amended, then passed on the following roll call:

Yeas, 53; Nays, 13; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Bennion | Bigelow | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dillree | Dougall |
| Duckworth | Dunnigan | Ferrin | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | Morgan | Murray | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------|---------|-----------|
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Buxton | Dee | Kiser |
| McGee | Moss | Newbold | Shurtliff |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|------------|
| S. Clark | Donnelson | Ferry | Goodfellow |
| Jones | Mascaro | Morley | Noel |
| Ure | | | |

H.B. 325, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **H.B. 273**.

H.B. 273, TAX AND CHARGE AMENDMENTS, was before the House on its reconsideration.

Representative Bigelow proposed the following amendment:

1. Page 1, Lines 25 through 27

House Committee Amendments
2-16-2004

25 ► repeals obsolete language;

25a ~~► REPEALS A CAP ON CERTAIN STATE SALES AND USE TAX THAT IS DEDICATED TO~~

25b ~~FUND CERTAIN WATER PROJECTS AND CERTAIN DEPARTMENT OF NATURAL RESOURCES~~

25c ~~PROJECTS;]~~ ~~►~~

26 ► provides that certain state sales and use tax revenues are required to be deposited into the Remote

27 Sales Restricted Account;

2. Page 50, Line 1544 through Page 51, Line 1550

House Committee Amendments
2-16-2004:

1544 ~~[(b)-(i)]~~ ~~(4)(a)~~ Notwithstanding Subsection (3)(a), for a fiscal year beginning on or

1545 after July 1, 2003, ~~►~~ ~~[[F]]~~ the lesser of the following amounts ~~[[F]]~~ ~~[[FOR TAXES LISTED UNDER SUBSECTION~~

1545a ~~(3)(a). THE AMOUNT OF TAX REVENUE GENERATED BY A 1/16% TAX RATE ON THE TRANSACTIONS~~

1545b ~~DESCRIBED IN SUBSECTION (1) FOR THE FISCAL YEAR]]~~ ~~►~~ shall be used as provided in Subsections

1546 ~~(4)(b)[(ii)]~~ through ~~[(vii)]~~ ~~(g)~~ ~~►~~ ~~[[F]]: [[F]] [[E]]~~ ~~►~~

1547 ~~[(A)]~~ ~~►~~ ~~[[F]](i)~~ for taxes listed under Subsection (3)(a), the amount of tax revenue generated:

1548 ~~[(I)]~~ ~~(A)~~ by a 1/16% tax rate on the transactions described in Subsection (1); and

1549 ~~[(II)]~~ ~~(B)~~ for the fiscal year; or

1550 ~~[(B)]~~ ~~(ii)~~ \$17,500,000. ~~[[F]]~~ ~~►~~

H.B. 273, as amended, then passed on the following roll call:

Yeas, 58; Nays, 7; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Duckworth |
| Dunnigan | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Seitz |
| G. Snow | Styler | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|---------|----------|----------|
| Bennion | Dayton | Hughes | Lockhart |
| Peterson | Philpot | Thompson | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----------|---------|
| Bush | S. Clark | Donnelson | Dougall |
| Ferrin | Ferry | Mascaro | Morley |
| Shurtliff | Ure | | |

H.B. 273, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Murray, the House voted to uncircle **H.B. 150**.

H.B. 150, WORKERS' COMPENSATION – FIRE DEPARTMENT EMPLOYEES , was before the House on its reconsideration.

On motion of Representative Murray, the House voted to circle **H.B. 150**.

* * *

On motion of Representative Hogue, the House voted to uncircle **H.B. 189**.

H.B. 189, TOBACCO COMPLIANCE AMENDMENTS, was before the House on its reconsideration.

Representative Hogue proposed the following amendment:

1. Page 9, Lines 272a through 272j

House Committee Amendments

1-20-2004:

Delete Lines 272a through 272j and insert:

“If a court of competent jurisdiction finds that any part of the amendments to Subsection 59-22-203(2)(b) of this bill are unconstitutional, then the provisions of Subsection 59-22-203(2)(b) shall be repealed in their entirety, and the provisions of Subsection 59-22-203(2)(b) shall be restored as if no amendments were made to Subsection 59-22-203(2)(b) by this bill. A holding of unconstitutionality or the repeal of Subsection 59-22-203(2)(b) does not affect, impair, or invalidate any other portion of Section 59-22-203, or the application of the section to any other person or circumstance, and the remaining portions of Section 59-22-203 shall at all times continue in full force and effect.”

Representative Hogue’s motion to amend passed on a voice vote.

H.B. 189, as amended, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-------------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Frank | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------|------------|-----------|--------|
| Adams | Alexander | Bourdeaux | Ferrin |
| Ferry | Goodfellow | McCartney | Ure |

H.B. 189, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2004
The Senate transmits **H.B. 230**, PROPERTY TAX LEVY FOR EDUCATION, by Representative M. Styler, for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 230** held for motion to reconsider.

* * *

Mr. Speaker: February 25, 2004
The Senate passed, as substituted, **1st Sub. S.B. 55**, GOVERNMENTAL IMMUNITY ACT OF UTAH, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 233**, AIRPORT SECURITY AMENDMENTS, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 237**, PIONEER AND COMMUNITY HERITAGE AMENDMENTS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed **S.B. 204**, REDEVELOPMENT AGENCY CHANGES, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 208**, FUNDING FOR TOURISM, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 232**, STANDARD OF CARE FOR EMERGENCY VEHICLE DRIVERS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 170**, PUBLIC TRANSIT DISTRICT AMENDMENTS, by Senator J. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 55, 2nd Sub. S.B. 233, S.B. 237, S.B. 204, S.B. 208, S.B. 232, and Sub. S.B. 170**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker:

February 25, 2004

The Senate passed, **H.C.R. 13**, WESTERN LEGENDS ROUNDUP RESOLUTION, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 78**, SCHOOL LAND TRUST PROGRAM RESTRICTED ACCOUNT, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 184**, VOYEURISM AMENDMENTS, by Representative B. Goodfellow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 202**, MAIL ORDER TOBACCO SALES AMENDMENTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 222**, ROBBERY AMENDMENTS, by Representative C. Frank, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 242**, FUNDS CONSOLIDATION ACT – DEPOSIT AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 2, INDIVIDUALS WITH DISABILITIES ACT RESOLUTION**, by Representative K. Holdaway, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.C.R. 13, H.B. 78, H.B. 184, Sub. H.B. 202, H.B. 222, H.B. 242, and H.C.R. 2** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 24, 2004

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 15, RESOLUTION RECOGNIZING MILITARY APPRECIATION WEEK**, by Representative J. S. Adams, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 182, ASSISTANT ADJUTANT GENERAL QUALIFICATIONS**, by Senator P. Knudson, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **1st Sub. S.B. 173, BAIL BOND REINSTATEMENT AMENDMENTS**, by Senator G. Bell; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 49, COMPETENCY TO BE EXECUTED – AMENDMENTS**, by Senator D. Gladwell.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.C.R. 15 and S.B. 182, read the second time by short title and placed on the Consent Calendar.

Sub. S.B. 173 and S.B. 49, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 24, 2004

The Transportation Committee reports a favorable recommendation on **H.B. 335**, PENALTY FOR USING FAKE IDENTIFICATION, by Representative B. Goodfellow, and recommends it be placed on the Consent Calendar.

Joseph G. Murray, Chair

Report filed. On motion of Representative Alexander, the report of the Transportation committee was adopted.

H.B. 335, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 25, 2004

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 315**, LOCAL OPTION SALES AND USE TAX AMENDMENTS, by Representative J. Dougall; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 238**, INDIVIDUAL INCOME TAX – EARNED INCOME TAX CREDIT, by Senator T. Hatch.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Alexander, the reports of the Revenue and Taxation committee were adopted.

H.B. 315, read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 238, read the second time by short title and referred to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker: February 24, 2004

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 146**, OLYMPIC LAW REVISIONS AND CLEANUP, by Senator B. Evans, and recommends it be placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 187**, WATER CONSERVANCY DISTRICTS

TRUSTEES, by Senator H. Stephenson, and recommends it be placed on the Consent Calendar.

Craig W. Butters, Chair

Reports filed. On motion of Representative Butters, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

S.B. 146 and **S.B. 187**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 24, 2004

The Judiciary Committee reports a favorable recommendation on **2nd Sub. S.B. 175**, PROTECTION OF PRIVATE LAWFULLY OBTAINED PROPERTY, by Senator D. C. Butters, et al, with the following amendments:

- 1. Page 9, Lines 264 through 274:

264 (2) The prosecuting attorney [~~shall have~~] has the burden of establishing by clear and

265 convincing evidence that an [~~individual is not an innocent~~] owner[~~-~~]or interest holder;

266 [~~(3) With respect to an ownership interest in existence at the time the conduct~~

267 ~~subjecting the property to seizure took place, the term "innocent owner" means an owner who:~~

268 ~~[(a) did not have actual knowledge of the conduct subjecting the property to seizure;~~

269 ~~or]~~

270 ~~[(b) upon learning of the conduct subjecting the property to seizure, took reasonable~~

271 ~~steps to prohibit such use of the property.]~~

272 (a) is criminally responsible for the conduct giving rise to the forfeiture;

273 (b) knew of [~~or could reasonably have been expected to know of]~~ the conduct giving rise

274 to the forfeiture, and allowed the property to be used in furtherance of the conduct; and

The Judiciary Committee reports a favorable recommendation on **S.B. 131**, UNIFORM PRINCIPAL AND INCOME ACT, by Senator L. Hillyard; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 179**, EXPEDITED APPEALS IN CHILD WELFARE CASES, by Senator L. Hillyard.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Adams, the reports of the Judiciary committee were adopted.

2nd Sub. S.B. 175, **S.B. 131**, and **Sub. S.B. 179**, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker:

February 25, 2004

The Political Subdivisions Committee recommends H.B. 281, TOXIC MOLD DISCLOSURE, by Representative D. Hogue, be replaced and reports a favorable recommendation on **1st Sub. H.B. 281**, TOXIC MOLD DISCLOSURE with the following amendments:

1. Page 1, Lines 8 through 9:

8 This bill enacts provisions within the Utah Health Code ~~[[and the~~
9 ~~Utah Fit Premises Act]]~~

9 related to mold.

2. Page 1, Lines 15 through 17:

15 the Legislature~~[[; and~~

16 ► requires an owner to make a disclosure to a renter or
17 prospective renter regarding

17 ~~mold in a rental unit]].~~

3. Page 1, Lines 23 through 24:

23 ~~[[AMENDS:~~

24 ~~57-22-2, as enacted by Chapter 314, Laws of Utah 1990]]~~

4. Page 2, Line 30:

30 ~~[[57-22-4.2, Utah Code Annotated 1953]]~~

5. Page 3, Line 72 through Page 4, Line 103:

72 ~~[[Section 5. Section 57-22-2 is amended to read:~~

73 ~~57-22-2. Definitions.~~

74 ~~As used in this chapter:~~

75 ~~(1) "Mold" is as defined in Section 26-48-102.~~

76 ~~[(1)] (2) "Owner" means the owner, lessor, or sublessor of a residential rental unit. A~~

77 ~~managing agent, leasing agent, or resident manager is considered an owner for purposes of~~

78 ~~notice and other communication required or allowed under this chapter unless the agent or~~

79 ~~manager specifies otherwise in writing in the rental agreement.~~

80 ~~[(2)] (3) "Rental agreement" means any agreement, written or oral, which establishes or~~

81 ~~modifies the terms, conditions, rules, or any other provisions regarding the use and occupancy~~

82 ~~of a residential rental unit.~~

83 ~~[(3)] (4) "Renter" means any person entitled under a rental agreement to occupy a~~

84 ~~residential rental unit to the exclusion of others.~~

85 ~~[(4)] (5) "Residential rental unit" means a renter's principal place of residence and~~

86 ~~includes the appurtenances, grounds, and facilities held out for the use of the residential renter~~

87 ~~generally, and any other area or facility provided to the renter in the rental agreement. It does~~

88 ~~not include facilities contained in a boarding or rooming house or similar facility, mobile home~~

89 ~~lot, or recreational property rented on an occasional basis.~~

90 ~~Section 6. Section 57-22-4.2 is enacted to read:~~

91 ~~57-22-4.2. Owner's duties -- Mold -- Civil action.~~

92 ~~(1) An owner shall comply with Subsection (2) if the owner knows that a residential~~

- 93 ~~rental unit contains visible mold.~~
- 94 ~~(2) An owner described in Subsection (1) shall provide written notice to:~~
- 95 ~~(a) a prospective renter prior to entering into a rental agreement; and~~
- 96 ~~(b) a renter within five calendar days after the owner becomes aware of a condition~~
- 97 ~~described in Subsection (1).~~
- 98 ~~(3) This section does not require an owner to conduct tests to determine whether a~~
- 99 ~~rental unit contains visible mold.~~
- 100 ~~(4) (a) A renter may bring an action against an owner for a violation of this section.~~
- 101 ~~(b) In an action under Subsection (4)(a), a renter may recover the greater of:~~
- 102 ~~(i) actual damages; or~~
- 103 ~~(ii) \$1,000.]; and~~

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 184**, INTERLOCAL COOPERATION ACT AMENDMENTS, by Senator G. Bell, and recommends it be placed on the Consent Calendar.

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 281, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 184, read the second time by short title and placed on the Consent Calendar.

THIRD READING CALENDAR

H.B. 292, VEHICLE FRANCHISE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 292, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|------------|---------|------|
| Daniels | Goodfellow | Mascaro | Noel |
| Philpot | Urquhart | | |

H.B. 292, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 289, ALCOHOLIC BEVERAGE AMENDMENTS RELATED TO MINORS, read the third time by short title and placed on its final passage.

H.B. 289 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |

| | | | |
|-----------|------------|--------------|------------|
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|------|----------|
| Daniels | Mascaro | Noel | Urquhart |
|---------|---------|------|----------|

H.B. 289 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 283, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 283, as amended, then passed on the following roll call:

Yeas, 58; Nays, 13; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------|---------|----------|
| Dayton | Dee | Dougall | Frank |
| Harper | Hughes | Kiser | Lockhart |
| Morley | Murray | Newbold | Thompson |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|------|------|---------|
| Daniels | Last | Noel | Philpot |
|---------|------|------|---------|

Sub. H.B. 283, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 302, VOLUNTARY CONTRIBUTION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Styler proposed the following amendment:

1. Page 6, Lines 152 through 153

Refer to the standing committee report dated 2-23-2004:

152 (2) ~~[[^H [A] UNLESS THE EMPLOYEE AGREES TO PAY THE ACTUAL COST, A ^H]]~~ A public

152a employer may not deduct from the wages of its employees any amounts to

153 be paid to:

Representative Styler’s motion to amend passed on the following roll call:

Yeas, 43; Nays, 28; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|----------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bird | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Ferrin | Ferry |
| Frank | Hardy | Harper | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lockhart | Love | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|------------|----------|-----------|-------------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| D. Cox | Daniels | Duckworth | Dunnigan |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Hogue | Holdaway | Jones | King |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Shurtliff |

Absent or not voting were: Representatives

| | | | |
|---------|--------|------|-----|
| Bigelow | Morley | Noel | Ure |
|---------|--------|------|-----|

H.B. 302 then passed on the following roll call:

Yeas, 42; Nays, 29; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | Bennion |
| Bird | Bowman | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dee | Dillree |
| Donnelson | Dougall | Ferrin | Ferry |
| Frank | Gowans | Hardy | Harper |
| Hughes | Kiser | Last | Lawrence |
| Lockhart | Love | Morley | Newbold |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| S. Allen | Anderson | Barrus | Becker |
| Biskupski | Bourdeaux | Bryson | Buffmire |
| Daniels | Dayton | Duckworth | Dunnigan |
| Goodfellow | Hansen | Hendrickson | Hogue |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| King | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|---------|------|-----|----------|
| Bigelow | Noel | Ure | Urquhart |
|---------|------|-----|----------|

H.B. 302, transmitted to the Senate for its consideration.

* * *

H.C.R. 10, RESOLUTION RECOGNIZING NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL MEETING IN SALT LAKE CITY, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.C.R. 10**.

* * *

H.B. 148, OPTOMETRY AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 148 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|--------|--------|-------|
| Barrus | Bryson | Gowans | Hogue |
| Mascaro | Noel | Ure | |

H.B. 148 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **H.B. 314**.

H.B. 314, CONSUMER PROTECTION REVISIONS, was before the House on its final passage.

H.B. 314 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|----------|-------|
| Barrus | Duckworth | Dunnigan | Hogue |
| Litvack | Noel | Ure | |

H.B. 314 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 279, COUNTERFEIT TOBACCO PRODUCTS, read the third time by short title and placed on its final passage.

On motion of Representative Hutchings, the House voted to circle **H.B. 279**.

* * *

Sub. H.B. 137, CAMPAIGN FINANCE DISCLOSURE IN MUNICIPAL ELECTIONS, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

- 1. Page 2, Line 56 through Page 3, Line 65

56 ~~[(iii)]~~ (iv) a requirement that the financial reports identify:

57 ~~[(A) except as provided in Subsection (1)(b)(iv)(B):]~~

58 ~~[(H)]~~ (A) for each contribution of an amount specified in the ordinance but not more than \$50,

59 the name of the donor of the contribution and the amount of the contribution; ~~[and]~~

60 ~~[(H)]~~ (B) the aggregate total of all contributions up to an amount specified in the ordinance

61 but not more than \$50; and

62 ~~[(B)]~~ ~~[(H)]~~ (C) for each expenditure, the name of the recipient and the amount of the

63 expenditure~~[[F]].[[G]]~~; or

64 (B) if the candidate received \$750 or less in campaign contributions and spent \$750 or

65 less on the candidate's campaign, the total amount of campaign contributions and expenditures.

Representative Hughes' motion to amend passed on a voice vote.

Sub. H.B. 137, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |

| | | | |
|------------|----------|-----------|----------|
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|----------|-----|----------|-------------|
| Thompson | Ure | Urquhart | M. Stephens |
|----------|-----|----------|-------------|

Sub. H.B. 137, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to lift **H.B. 328** and **H.B. 2** from the Rules Committee, consider them read the second time by short title and placed at the top of the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 328, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 328**.

* * *

H.B. 2, GENERAL OBLIGATION BONDS AUTHORIZATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 2**.

UNFINISHED BUSINESS

On motion of Representative Hutchings, the House voted to uncircle **H.B. 279**.

H.B. 279, COUNTERFEIT TOBACCO, was before the House on its final passage.

Representative Hutchings proposed the following amendment:

1. Page 2, Lines 50 through 52

50 (4)[~~“Indian country” is as defined in 18 U.S.C. Sec. 1151.~~]

51 ~~[(5)]~~ “(Indian tribal entity” means a federally recognized Indian tribe, tribal entity, or any

52 other person doing business as a distributor or retailer of cigarettes on ~~[[Indian country]] tribal lands~~ located in

2. Page 2, Line 54:

54 ~~[(6)]~~ (5) “Manufacturer” means any person who manufactures, fabricates, assembles,

3. Page 2, Line 56:

56 ~~[(7)]~~ (6) “Retailer” means any person who sells or distributes cigarettes or intends to sell or

4. Page 2, Line 58:

58 ~~[(8)]~~ (7) “Stamp” or “stamps” means the indicia required to be placed on a cigarette package

5. Page 3, Lines 63 through 64:

63 ~~[(2)]~~ ~~[(9)]~~ (8) “Tobacco products” means all products made of, or containing tobacco, except

64 cigarettes.

(9) “Tribal lands” means land held by the United States in trust for a federally recognized Indian tribe.

6. Page 7, Line 201:

201 that are purchased or received on the ~~[[tribe’s Indian country]] tribal lands~~ are not subject to the tax imposed

7. Page 7, Lines 205 through 207:

205 (2) (a) (i) The tax applicable to cigarettes sold to or received by nontribal members on

206 ~~[[Indian]] tribal lands~~ is equal to the state tax imposed by Section 59–14–204, minus any tribal tax

207 actually paid.

(ii) For purposes of this section, nontribal members includes any person who is not a member of the Indian tribe that is selling the cigarettes. .

Representative Hutchings' motion to amend passed on a voice vote.

H.B. 279, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Thompson | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|--------|------------|
| Buxton | Goodfellow | Harper | B. Johnson |
| Morley | Shurtliff | Styler | Ure |
| Urquhart | M. Stephens | | |

H.B. 279, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 357, CONTINUING EDUCATION FOR REAL ESTATE PROFESSIONALS, read the third time by short title and placed on its final passage.

H.B. 357 then passed on the following roll call:

Yeas, 55; Nays, 11; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |

| | | | |
|--------------|-----------|-------------|-----------|
| Bird | Biskupski | Bourdeaux | Buffmire |
| Bush | Buxton | Christensen | S. Clark |
| D. Cox | Curtis | Dee | Dillree |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|-------------|---------|
| Bryson | Buttars | D. Clark | Daniels |
| Dayton | Donnelson | Ferrin | Harper |
| McGee | Thompson | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|---------|------------|
| Bennion | Bowman | Dougall | B. Johnson |
| Morgan | Morley | Styler | Ure |
| Urquhart | | | |

H.B. 357 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hogue, the House voted to uncircle **H.C.R. 10**.

H.C.R. 10, RESOLUTION RECOGNIZING NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL MEETING IN SALT LAKE CITY, was before the House on its final passage.

H.C.R. 10, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |

| | | | |
|-------------|--------------|-----------|-----------|
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|------------|--------|
| Bennion | Hardy | B. Johnson | Morley |
| Styler | Urquhart | | |

H.C.R. 10, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 364, PROFITS FROM SALE OF CRIME MEMORABILIA, read the third time by short title and placed on its final passage.

H.B. 364 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|-----------|
| Agard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |

| | | | |
|-----------|----------|---------|----------|
| Noel | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|--------|----------|--------------|------------|
| Adams | Bigelow | E. Hutchings | B. Johnson |
| Morley | Peterson | M. Stephens | |

H.B. 364 transmitted to the Senate for its consideration.

* * *

Sub. H.J.R. 17, RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION, read the third time by short title and placed on its final passage.

Sub. H.J.R. 17 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|----------|-----------|---------|
| Becker | Buffmire | Buxton | Daniels |
| Harper | Litvack | McCartney | Ure |

Sub. H.J.R. 17 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to reconsider its action on **H.B. 230**.

RECONSIDERATION OF H.B. 230

H.B. 230, PROPERTY TAX LEVY FOR EDUCATION, was before the House upon its final passage.

On motion of Representative Styler, the House voted to delete **H.B. 230** in title and body and insert **2nd Sub. H.B. 230** in lieu thereof.

On motion of Representative Styler, the House voted to circle **2nd Sub. H.B. 230**.

THIRD READING CALENDAR

H.B. 308, VEHICLE RESTRAINT SYSTEM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 308 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

Morley Moss

H.B. 308 transmitted to the Senate for its consideration.

* * *

H.B. 345, EARNED INCOME TAX CREDIT, read the third time by short title and placed on its final passage.

H.B. 345, as amended, then passed on the following roll call:

Yeas, 64; Nays, 5; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-------------|
| Aagard | S. Allen | Anderson | Barrus |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Pace | Peterson | Philpot |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|------------|----------|---------|
| Dougall | B. Johnson | Lockhart | Newbold |
| Thompson | | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|--------|----------|
| Adams | Alexander | Becker | S. Clark |
| Morley | Seitz | | |

H.B. 345, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Murray, the House voted to uncircle **H.B. 150**.

H.B. 150, WORKERS' COMPENSATION FOR FIRE DEPARTMENT EMPLOYEES, was before the House on its final passage.

H.B. 150 then passed on the following roll call:

Yeas, 47; Nays, 25; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| S. Allen | Anderson | Becker | Bigelow |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Buxton | D. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Duckworth |
| Dunnigan | Goodfellow | Gowans | Hansen |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | Jones | King | Kiser |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Philpot |
| Seitz | Shurtliff | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|------------|-----------|-------------|
| Aagard | Alexander | Barrus | Bird |
| Bryson | Bush | Buttars | Christensen |
| S. Clark | Dayton | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Hardy |
| Hughes | B. Johnson | Last | Lockhart |
| Newbold | Peterson | G. Snow | Styler |
| Thompson | | | |

Absent or not voting were: Representatives

| | | |
|-------|---------|--------|
| Adams | Bennion | Morley |
|-------|---------|--------|

H.B. 150 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 26, 2004, at 9:00 a.m.

THIRTY-NINTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Stephen Clark.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2004

The Senate passed, as amended, **S.B. 183**, LOCAL GOVERNMENTS – AUTHORITY FOR DESIGN-BUILD CONSTRUCTION, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 214**, PROHIBITION OF OBESITY LAWSUITS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 245**, MEDICAL DISPUTE RESOLUTION AMENDMENTS, by Senator L. Blackham, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 183**, **Sub. S.B. 214**, and **Sub. S.B. 245**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 25, 2004

The Senate passed, **H.B. 189**, TOBACCO COMPLIANCE AMENDMENTS, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 189** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONSENT CALENDAR

S.B. 168, DRIVER LICENSE RELATED AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 168 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|---------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|------------|----------|
| Daniels | Dunnigan | Goodfellow | Gowans |
| Holdaway | McCartney | Peterson | Thompson |
| Ure | Urquhart | | |

S.B. 168 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Pace, the House voted to uncircle **H.B. 328**.

H.B. 328, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, was before the House on its final passage.

Representative Pace proposed the following amendment:

1. Page 3, Lines 69 through 72

69 (b) It is further the intent of the Legislature that existing rent budgets be used as the

70 primary revenue source for repayment of any obligation created under authority of this

71 Subsection (3).

(4) (a) It is the intent of the Legislature that the State Building Ownership Authority, under the authority of Title 63B, Chapter 1, Part 3, State Building Ownership Authority Act, may issue or execute obligations, or enter into or arrange for a lease-purchase agreement in which participation interests may be created, to provide up to \$7,103,000 for the acquisition of the Tooele Courts building and adjacent land in Tooele City, together with additional amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

(b) It is further the intent of the Legislature that court fees be used as the primary revenue source for repayment of any obligation created under authority of this Subsection (4).

72 Section 2. Section 63B-13-202 is enacted to read:

2. Page 4, Line 116 through Page 5, Line 130:

116 63B-13-301. Lease-purchase authorizations.

117 [(1) (a) It is the intent of the Legislature that the Administrative Office of the Courts

118 may use existing funds to enter into a lease purchase agreement with Tooele County for the

119 acquisition of a new courthouse in Tooele costing up to \$7,100,000.

120 ~~(b) It is further the intent of the Legislature that the lease-purchase agreement may not~~

121 ~~be executed until the Judicial Council has determined that existing budgets of the courts are~~

122 ~~adequate to cover the repayment of any obligation created under authority of this Subsection~~

123 ~~(1).~~

124 ~~(2)(a))~~ (1) It is the intent of the Legislature that the Mountainland Applied Technology

125 Campus of the Utah College of Applied Technology may use existing funds to enter into a

126 lease-purchase agreement with Alpine School District for the acquisition of the Pacific Avenue

127 Applied Technology Facility costing up to \$2,900,000.

128 ~~[(b)]~~ (2) It is further the intent of the Legislature that a lease may not be executed until the

129 State Building Board has determined that the lease-purchase option is less costly to the state

130 than the current lease.

Representative Pace's motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 2, Line 44:
Delete "North" and after "Ogden" insert "City Second Street"
2. Page 2, Line 45:
After "Ogden" insert "Patterson Street"

Representative Hansen's motion to amend passed on a voice vote.

H.B. 328, as amended, then passed on the following roll call:

Yeas, 52; Nays, 22; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |

| | | | |
|-------------|-----------|----------|--------------|
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dee | Dillree | Dunnigan | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| Jones | King | Last | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Pace | Seitz | Shurtliff |
| Styler | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|------------|
| Bennion | Bird | Curtis | Dayton |
| Donnelson | Dougall | Duckworth | Ferrin |
| Ferry | Frank | Hughes | B. Johnson |
| Kiser | Lockhart | Morley | Newbold |
| Peterson | Philpot | G. Snow | Thompson |
| Ure | M. Stephens | | |

Absent or not voting was: Representative Daniels

H.B. 328, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Pace, the House voted to uncircle **H.B. 2**.

H.B. 2, GENERAL OBLIGATION BONDS AUTHORIZATION, was before the House on its final passage.

Representative Pace proposed the following amendment:

- 1. Page 4, Lines 98 through 99

98 (c) the Bonding Commission may not issue bonds for the National Guard North Salt Lake Readiness Center project until the United States Congress

99 appropriates monies for that project.

Representative Pace's motion to amend passed on a voice vote.

###

Representative Johnson proposed the following amendment:

1. Page 2, Line 32:
Delete “\$110,200,000” and insert “\$65,000,000”
2. Page 2, Lines 53–58:
Delete lines 53 through 58.
3. Page 3, Lines 59–62:
Delete lines 59 through 62 and insert “Utah College of Applied Technology – Vernal \$333,000 \$8,300,000” and change the totals on lines 65 and 68 to “\$63,869,000”

Representative Bigelow proposed the following substitute motion to amend:

1. Page 2, Line 32

32 (1) The total amount of bonds issued under this section may not exceed ~~[[\$110,200,000]] 109,000,000 .~~
2. Page 2, Lines 55 through 58:

55 ~~[[Southern Utah University –~~
56 Teacher Education \$320,500 ~~\$10,000,000~~
57 ~~Dixie State College Health~~
58 ~~Sciences Building \$450,800 ~~\$15,000,000~~]]~~
University of Utah Library \$321,800 ~~\$21,400,000~~
3. Page 3, Lines 62 through 69:

62 Oxbow Prison Purchase \$0 ~~\$4,800,000~~
College of Eastern Utah –
San Juan Library \$127,200 ~~\$2,400,000~~
63 TOTAL CAPITAL
64 DEVELOPMENT
65 PROJECTS ~~[[109,088,000]] 107,888,000~~
66
67 TOTAL GENERAL OBLIGATION BOND AUTHORIZATION
68 FOR CAPITAL DEVELOPMENT PROJECTS ~~[[109,088,000]]~~
107,888,000
69

The motion was divided and Items 1 and 2 of Representative Bigelow's substitute motion to amend failed to pass on the following roll call:

Yeas, 34; Nays, 39; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|------------|-------------|
| S. Allen | Anderson | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Buffmire |
| Christensen | S. Clark | Curtis | Daniels |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | Jones | King |
| Kiser | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Shurtliff | Ure | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Aagard | Alexander | Barrus | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | D. Clark | D. Cox | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Ferrin | Ferry | Frank | E. Hutchings |
| B. Johnson | Last | Lockhart | Love |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

Adams Hogue

Item 3 of Representative Bigelow's substitute motion to amend failed on a voice vote.

Representative Johnson's motion to amend was before the body.

Representative Bennion proposed the following substitute motion to amend:

1. Page 2, Line 32:
Delete "\$110,200,000" and insert "\$58,500,000"
2. Page 2, Lines 51–58:
Delete lines 51 through 58.

3. Page 3, Lines 65 and 68:

Delete “\$109,088,000” and insert “\$57,519,000” on both lines.

Representative Bennion’s substitute motion to amend passed on the following roll call:

Yeas, 39; Nays, 36; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|-------------|
| Alexander | Becker | Bennion | Bigelow |
| Biskupski | Bourdeaux | Bryson | Buffmire |
| Buttars | Christensen | Daniels | Dayton |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Litvack |
| Lockhart | McCartney | McGee | Morgan |
| Morley | Moss | Newbold | Philpot |
| Styler | Thompson | Ure | |

Voting in the negative were: Representatives

| | | | |
|------------|----------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bird | Bowman | Bush |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Dee | Dillree | Donnelson |
| Goodfellow | Gowans | Hansen | Harper |
| Hogue | Last | Lawrence | Love |
| Mascaro | Murray | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Urquhart | Wallace | Webb | M. Stephens |

###

Representative Harper proposed the following amendment:

- Page 2, Line 32:
Delete “\$58,500,000” and insert “\$85,500,000”
- Page 2, Lines 51–54:
Reinstate lines 51 through 54.
- Page 3, Lines 65 and 68:
Delete “\$57,519,000” and insert “\$84,088,000” on both lines.

Representative Morgan proposed the following substitute motion to amend:

- 1. Page 2, Line 32:
Delete “\$58,500,000” and insert “\$84,088,000”
- 2. Page 2, Line 58:
Insert “University of Utah Library \$321,800 \$21,400,000”
- 3. Page 3, Lines 65 and 68:
Delete “\$57,519,000” and insert “\$105,488,000”

Representative Morgan’s substitute motion to amend failed on the following roll call:

Yeas, 30; Nays, 41; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|------------|
| S. Allen | Becker | Bennion | Biskupski |
| Bourdeaux | Buffmire | S. Clark | Curtis |
| Daniels | Duckworth | Dunnigan | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Holdaway | Hughes | Jones | King |
| Kiser | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Shurtliff | Thompson | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|--------------|------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bird | Bowman | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Dougall | Ferrin | Ferry |
| Frank | Hogue | E. Hutchings | B. Johnson |
| Last | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|-------------|-------------|
| Bigelow | Bryson | Hendrickson | M. Stephens |
|---------|--------|-------------|-------------|

Representative Bush proposed the following substitute motion to amend:

- 1. Page 2, Line 32:
Delete “\$58,500,000” and insert “\$64,500,000”
- 2. Page 2, Lines 51 and 52:
Reinstate lines 51 and 52.
- 3. Page 3, Lines 65 and 68:
Delete “\$57,519,000” and insert “\$63,088,000”

Representative Bush’s substitute motion to amend failed on a voice vote.

Representative Urquhart proposed the following substitute motion to amend:

- 1. Page 2, Line 32:
Delete “\$58,500,000” and insert “\$48,500,000”
- 2. Page 2, Lines 51–54 and 57–58:
Reinstate lines 51 through 54 and reinstate 57 through 58.
- 3. Page 3, Lines 65 and 68:
Delete “\$57,519,000” and insert “\$47,519,000”

Representative Urquhart’s substitute motion to amend failed on a voice vote.

Representative Harper’s motion to amend failed on the following roll call:

Yeas, 29; Nays, 42; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Bush | Buxton | Christensen | D. Cox |
| Curtis | Dee | Dillree | Dunnigan |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| King | Love | Mascaro | Murray |
| Newbold | Pace | Shurtliff | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-----------|----------|
| Alexander | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | D. Clark | S. Clark |
| Daniels | Dayton | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |

| | | | |
|----------|--------------|------------|----------|
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | McCartney | McGee | Morgan |
| Morley | Moss | Noel | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|---------|-------------|
| Bigelow | Buttars | Philpot | M. Stephens |
|---------|---------|---------|-------------|

H.B. 2, as amended, then passed on the following roll call:

Yeas, 40; Nays, 35; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|------------|-------------|
| Alexander | S. Allen | Bennion | Bigelow |
| Bowman | Bryson | Buttars | Christensen |
| D. Clark | D. Cox | Curtis | Dayton |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Harper |
| Hendrickson | Hughes | B. Johnson | Kiser |
| Last | Lockhart | Mascaro | Morley |
| Newbold | Noel | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|--------------|-----------|------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bird | Biskupski | Bourdeaux |
| Buffmire | Bush | Buxton | S. Clark |
| Daniels | Dee | Duckworth | Goodfellow |
| Gowans | Hansen | Hardy | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Lawrence | Litvack | Love | McCartney |
| McGee | Morgan | Moss | Murray |
| Pace | Shurtliff | Webb | |

H.B. 2, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative Curtis, the House voted to recess until 11:05 a.m.

Speaker Stephens called the House to order at 11:20 a.m.

THIRD READING CALENDAR

S.B. 48, UNIFORM FIREARM LAWS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 2, lines 57a–57b:
House Committee amendments
dated 2–20–2004
Reinstate lines 57a and 57b
2. Page 2, lines 57c–57d:
House Committee amendments
dated 2–20–2004
Reinstate “property.” and delete the rest of line 57c and line 57d

Representative Philpot proposed the following substitute motion to amend:

1. Page 2, Line 57c and d:
House Committee amendments
dated 2–20–2004
Delete lines 57c and d.

Representative Philpot’s substitute motion to amend failed on a voice vote.

Representative Allen’s motion to amend failed on a voice vote.

S.B. 48, as amended, then passed on the following roll call:

Yeas, 59; Nays, 14; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------|-------------|----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |

| | | | |
|----------|-----------|--------------|-------------|
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|---------|------------|-----------|----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Goodfellow | Hansen | Jones |
| Litvack | McCartney | McGee | Morgan |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | |
|-------|--------|
| Adams | Hughes |
|-------|--------|

S.B. 48, as amended, returned to the Senate for further consideration.

* * *

Sub. S.B. 166, OFF-HIGHWAY VEHICLE REGISTRATION PROVISIONS, read the third time by short title and placed on its final passage.

Sub. S.B. 166 then passed on the following roll call:

Yeas, 59; Nays, 13; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|----------|-----------|
| Aagard | Alexander | Anderson | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Dougall | Duckworth |
| Dunnigan | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |

| | | | |
|---------|-----------|-------------|----------|
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|---------|----------|
| Adams | Barrus | Buttars | Buxton |
| Donnelson | Ferrin | Ferry | Frank |
| Harper | Love | Morley | Peterson |
| Philpot | | | |

Absent or not voting were: Representatives

| | | |
|----------|--------|--------------|
| S. Allen | Hughes | E. Hutchings |
|----------|--------|--------------|

Sub. S.B. 166 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 139, INDIVIDUAL INCOME TAX – NONRESIDENT INCOME AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 139**.

* * *

S.B. 161, JUDICIAL CONDUCT COMMISSION, read the third time by short title and placed on its final passage.

S.B. 161, as amended, then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |

| | | | |
|------------|----------|------------|--------------|
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting was: Representative
M. Stephens

S.B. 161, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle
Sub. S.B. 20.

Sub. S.B. 20, DRIVING UNDER THE INFLUENCE AMENDMENTS, was
before the House on its final passage.

Sub. S.B. 20 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |

| | | | |
|----------|-----------|----------|---------|
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

Hughes M. Stephens

Sub. S.B. 20 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 219, AMENDMENTS TO JUSTICE COURT OPERATIONS, read the third time by short title and placed on its final passage.

S.B. 219, as amended, then passed on the following roll call:

Yeas, 51; Nays, 20; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bigelow | Biskupski |
| Bourdeaux | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Hansen | Hardy | Harper | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Litvack | Love | Mascaro |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|-------------|----------|
| Bennion | Bird | Bryson | Curtis |
| Dayton | Donnelson | Dougall | Ferrin |
| Frank | Gowans | Hendrickson | Hughes |
| Last | Lawrence | Lockhart | Morley |
| Noel | Peterson | Philpot | Thompson |

S.B. 171 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Christensen, the House voted to uncircle **2nd Sub. S.B. 45**.

2nd Sub. S.B. 45, UNIFORM PARENTAGE ACT, was before the House on its final passage.

On motion of Representative Dayton, the House voted to circle **2nd Sub. S.B. 45**.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 25, 2004

The Health and Human Services Committee reports a favorable recommendation on **H.B. 303**, CHILD WELFARE REVISIONS, by Representative S. Mascaro, with the following amendments:

1. Page 2, Line 50 through Page 3, Line 75:

50 ~~(A)~~ the division has reasonable cause to believe that the reported abuse was committed

51 by a person who is not the child's parent and does not:

52 ~~[(i)]~~ (I) live in the child's home; or

53 ~~[(ii)]~~ (II) otherwise have access to the child~~[-and]~~ in the child's home; or

54 ~~(B)~~ an unscheduled visit is not necessary to obtain evidence for the investigation; and

55 ~~[(g)]~~ (vii) if appropriate and indicated in any case alleging physical injury, sexual

56 abuse, or failure to meet the child's medical needs, a medical examination. That examination

57 shall be obtained no later than 24 hours after the child was placed in protective custody.

58 ~~[(b) For purposes of Subsection (2)(a)(iii):~~

59 ~~(i) even if the whereabouts of both parents are known, the division is not required to~~

60 ~~interview a second parent unless the division has reason to believe that the second parent has~~

61 ~~substantial, relevant information distinct from the information provided by the first parent; and~~

62 ~~(ii) all interviews with parents shall be conducted prior to the completion of the~~

63 ~~investigation.]]~~

64 (3) The division may rely on a written report of a prior interview rather than

65 conducting an additional interview, if:

66 (a) law enforcement has previously conducted a timely and thorough investigation

67 regarding the alleged abuse [or], neglect, or dependency and has produced a written report;

68 (b) that investigation included one or more of the interviews required by Subsection

69 (2); and

70 (c) the division finds that an additional interview is not in the best interest of the child.

71 (4) (a) The division's determination of whether a report is ~~[[substantiated]]~~ supported or

72 ~~[[unsubstantiated]]~~ unsupported may be based on the child's statements alone.

73 (b) Inability to identify or locate the perpetrator may not be used by the division as a

74 basis for determining that a report is unsubstantiated, or for closing the case.

75 (c) The division may not determine a case to be ~~unsubstantiated~~ unsupported or; and

The Health and Human Services Committee recommends **H.B. 276**, ADOPTION LAW REVISIONS, by Representative R. McGee, be replaced and favorably recommends **1st Sub. H.B. 276**, ADOPTION LAW REVISIONS; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 259**, SPECIAL NEEDS ADOPTION – PREPLACEMENT EVALUATIONS, by Representative A. Hardy; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 361**, ADOPTION AGENCY FEES TASK FORCE, by Representative S. Daniels.

Mike Thompson, Chair

Reports filed. On motion of Representative Styler, the reports of the Health and Human Services committee were adopted.

H.B. 303, as amended, **Sub. H.B. 276**, **Sub. H.B. 259**, and **H.B. 361**, read the second time by short title and referred to the Rules Committee for prioritization.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 25, 2004

The Education Committee has returned **H.B. 112**, ENROLLMENT GROWTH PROGRAM AMENDMENTS, by Representative B. Last, to the Rules Committee, and recommends the bill be referred for interim study.

Margaret Dayton, Chair

Report filed. **H.B. 112**, referred to the Rules Committee for interim study.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2004

The Education Committee reports a favorable recommendation on **S.B. 39**, STATE AND SCHOOL RECOGNITION OF CESAR CHAVEZ, by Senator J. Evans; and

The Education Committee reports a favorable recommendation on **H.R. 11**, ELIGIBILITY FOR INTERSCHOLASTIC ATHLETICS RESOLUTION, by Representative A. Hardy, with the following amendments:

1. Page 2, Lines 52–53:
Delete lines 52–53; and

The Education Committee reports a favorable recommendation on **H.C.R. 9**, NO CHILD LEFT BEHIND RESOLUTION, by Representative K. Holdaway, with the following amendments:

1. Page 3, Line 85:
After “therein,” insert “object to and “ and after “with” insert “the above”

2. Page 4, Line 91:

After “Representatives,” insert “the United States Secretary of Education,”

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

S.B. 39, H.R. 11, as amended, and **H.C.R. 9**, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker:

February 25, 2004

The Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman, with the following amendments:

1. Page 3, Lines 74 through 80:

74 (3) (a) A revenue bond issued under this section shall be secured and paid for [~~solely~~] :

(i)

75 from the revenues generated by the municipality from providing:

76 [~~(+)~~] (A) cable television services with respect to revenue bonds issued to finance facilities

77 for the municipality’s cable television services; and

78 [~~(+)~~] (B) public telecommunications services with respect to revenue bonds issued to finance

79 facilities for the municipality’s public telecommunications services[~~-~~] ; and

(ii) notwithstanding Subsection (3)(b) and Subsection 10-18-303(3)(a), from revenues generated under Title 59, Chapter 12, Sales and Use Tax Act, if:

(A) notwithstanding Subsection 11-14-2(2), the revenue bond is approved by the registered voters in an election held:

(I) except as provided in Subsection (3)(a)(ii)(A)(II), pursuant to the provisions of Title 11, Chapter 14, Utah Municipal Bond Act, that govern bond elections; and

(II) notwithstanding Subsection 11-14-4(2), at a regular general

election:

(B) the revenues described in this Subsection (3)(a)(ii) are pledged as security for the revenue bond; and

(C) the municipality or municipalities annually appropriate the revenues described in this Subsection (3)(a)(ii) to secure and pay the revenue bond issued under this section.

80 (b) [[A]] Except as provided in Subsection (3)(a)(ii), a municipality may not pay the origination, financing, or other carrying costs; and

The Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 348**, PRIVACY AMENDMENTS, by Representative M. Thompson; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 318**, UNIFORM STATEWIDE FEES FOR CERTAIN TANGIBLE PERSONAL PROPERTY, by Representative C. Bennion.

Stephen Urquhart, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Public Utilities and Technology committee were adopted.

Sub. S.B. 66, as amended, **Sub. H.B. 348**, and **H.B. 318**, read the second time by short title and referred to the Rules Committee for prioritization.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 25, 2004

The Public Utilities and Technology Committee has returned **H.B. 338**, BOTTLE BILL AMENDMENTS, by Representative T. McCartney, to the Rules Committee and directs the topic be placed upon the Master Study Resolution for interim study.

Stephen H. Urquhart, Chair

Report filed. **H.B. 338**

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2004

The Business and Labor Committee reports a favorable recommendation on **H.B. 298**, RESIDENCE LIEN RECOVERY FUND AMENDMENTS, by Representative S. Clark, with the following amendments:

1. Page 3, Lines 75 through 79:

75 (1) A person licensed or applying for licensure or renewal as a contractor in license classifications that regularly engage in providing qualified services shall be exempt from registration as a qualified beneficiary under Section 38-11-301 and shall be issued a limited license if the person signs an affidavit

78 at the time of licensure or renewal attesting that the person does not engage in providing

79 qualified services.; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 310**, CHILD SUPPORT AMENDMENTS, by Representative K. Bryson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 107**, ADVANCED PRACTICE REGISTERED NURSE MODIFICATIONS, by Senator P. Knudson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 200**, LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS, by Senator P. Knudson, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 52**, INSURANCE AMENDMENTS – LOSS HISTORIES AND INQUIRIES, by Senator T. Hatch, and recommends it be placed on the Consent Calendar.

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Bryson, the reports of the Business and Labor committee were adopted.

H.B. 298, as amended, **H.B. 310**, and **S.B. 107**, read the second time by short title and referred to the Rules Committee for prioritization.

S.B. 200 and **S.B. 52**, read the second time by short title and placed on the Consent Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Pro Tem Curtis at 2:05 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 26, 2004

The Senate passed, as substituted, **1st Sub. S.B. 26**, PUBLIC SAFETY RETIREES' COST-OF-LIVING INCREASE, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 60**, SPORTS DEVELOPMENT AND TOURISM, RECREATION, CULTURAL, CONVENTION, AND SPORTS FACILITIES TAX AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 26**, and **2nd Sub. S.B. 60**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 26, 2004

The Senate concurred in the House amendments and passed **S.B. 144**, CORPORATIONS SOLE AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 124**, PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A COUNTY OR MUNICIPALITY, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 134**, GOVERNOR'S COMMISSION FOR WOMEN AND FAMILIES, by Senator C. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 144**, **2nd Sub. S.B. 124**, and **Sub. S.B. 134** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 26, 2004

The Senate passed, as amended, **2nd Sub. H.B. 92**, BRUCellosis VACCINATION AMENDMENTS, by Representative B. Johnson, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 229**, PUBLIC UTILITY EASEMENTS, by Representative R. C. Webb, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 255**, WILDLIFE RESTITUTION AMENDMENTS, by Representative R. Barrus, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 171**, INSURANCE FRAUD AMENDMENTS, by Representative Ferrin, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE, by Representative D. Litvack, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 88**, STATE LAND USE MANAGEMENT PLANS, by Representative B. Johnson, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 92, H.B. 229, H.B. 255, H.B. 171, H.B. 60, and H.B. 88**, placed on the calendar for concurrence.

* * *

Mr. Speaker: February 26, 2004

The Senate passed, **1st Sub. H.B. 220**, OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative B. Goodfellow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 253**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 51**, NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS, by Representative D. Bowman, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 79**, RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE, by Representative C. Duckworth, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 83**, STATE RETIREMENT – FUNDED RATIO, by Representative A. Hardy, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 4**, RESOLUTION ENCOURAGING LIFETIME AND RETIREMENT SAVINGS ACCOUNTS, by Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 11**, UNUSED SICK LEAVE FOR STATE EMPLOYEE PROVISIONS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 71**, WATER CONSERVATION PLANS, by Representative J. Buffmire, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 172**, INSURANCE LIQUIDATION LAW AMENDMENTS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 179**, VULNERABLE ADULT ABUSE AMENDMENTS, by Representative P. Jones, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 232**, WATER WELL AMENDMENTS, by Representative D. Peterson, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 220, H.B. 253, 2nd Sub. H.B. 51, H.B. 79, H.B. 83, H.C.R. 4, H.B. 11, Sub. H.B. 71, H.B. 172, H.B. 179, and Sub. H.B. 232** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

NOTICE OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 26, 2004

The House Health and Human Services Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

H.J.R. 19 Resolution Urging Support of Federal Law Prohibiting Partial Birth Abortion (Rep. B. King)

- 1st Sub. H.B. 69** Pharmaceutical Cost Reduction Amendments
 (Rep. R. McGee)
- S.B. 103** Child Removal Amendments (Sen. P. Hellewell)
- S.B. 104** Selection of Mental Health Therapist in Termination of
 Parental Rights (Sen. P. Hellewell); and

The House Health and Human Services Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

- H.B. 127** Certified Medication Aide (Rep. R. Lockhart)
- H.B. 350** Consumer Access to Prescription Drug Pricing Data
 (Rep. D. Ure)
- S.B. 81** Child and Family Services – Plea in Abeyance
 (Sen. P. Hellewell))
- S.B. 155** County Mental Health Amendments (Sen. G. Davis); and

The Health and Human Services Committee has returned **4th Sub. S.B. 90, MEDICAL NEGLECT – EXCLUSION**, by Senator D. Thomas, to the Rules Committee without recommendation.; and

The Health and Human Services Committee recommends **H.B. 257, ELECTRO SHOCK THERAPY AMENDMENTS**, by Representative K. Bryson, be replaced with **1st Sub. H.B. 257, ELECTRO SHOCK THERAPY AMENDMENTS**, and has returned it to the Rules Committee without recommendation.

Mike Thompson, Chair

Reports filed. On motion of Representative Thompson, the reports of the Health and Human Services committee were adopted.

H.J.R. 19, Sub. H.B. 69, S.B. 103, S.B. 104, H.B. 127, H.B. 350, S.B. 81, and S.B. 155, returned to the Rules Committee without action.

4th Sub. S.B. 90 and Sub. H.B. 257, returned to the Rules Committee without recommendation.

NOTICE OF BILL TABLED

Mr. Speaker:

February 26, 2004

The Health and Human Services Committee has tabled **H.B. 291, SAFE DRINKING WATER ACT AMENDMENTS**, by Representative G. Donnelson, with the following amendments and has returned it to the Rules Committee without recommendation.

1. Page 1, Lines 13 through 17:

13 Administration[; and

14 ► prohibits the addition of any product to a public water supply containing a

15 ~~contaminant regulated by the United States Environmental Protection Agency,~~

16 ~~which at maximum use levels exceeds the EPA's Maximum Contaminant Level~~

17 ~~Goals.]] _~~

2. Page 2, Lines 37 through 41:

37 ~~[(2) Beginning July 1, 2004, any product or compound added to a public water supply~~

38 ~~may not contain any other substance that is regulated as a contaminant by the United States~~

39 ~~Environmental Protection Agency, which at maximum use levels exceeds the United States~~

40 ~~Environmental Protection Agency Maximum Contaminant Level Goals.~~

41 ~~(3)] (2) The requirements of this section do not apply to chlorine or other water purifying~~

Mike Thompson, Chair

Report filed. **H.B. 291**, as amended, tabled by standing committee and returned to the Rules Committee.

NOTICE OF BILL TABLED

Mr. Speaker:

February 26, 2004

The Natural Resources, Agriculture, and Environment Committee has tabled **S.B. 71**, SAFETY BELT ENFORCEMENT, by Senator K. Hale, and has returned it to the Rules Committee; and

Craig W. Butters, Chair

Report filed. **S.B. 71**, tabled in standing committee and returned to the Rules Committee.

NOTICE OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 26, 2004

The Natural Resources, Agriculture and Environment Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

H.B. 104 Filing and Perfecting of Water Rights (Rep. B. Johnson)
2nd Sub. S.B. 140 Human Services Licensing Amendments
(Sen. D. C. Buttars)

Craig Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture and Environment committee were adopted.

H.B. 104 and **2nd Sub. S.B. 140**, returned to the Rules Committee.

NOTICE OF BILL TABLED

Mr. Speaker: February 26, 2004

The Business and Labor Committee has tabled **H.B. 277**, INSURANCE AMENDMENTS – LICENSING FOR SALES OF ANNUITIES, by Representative M. Newbold, and has returned it to the Rules Committee without recommendation.

Katherine M. Bryson, Chair

Report filed. **H.B. 277**, tabled in committee and returned to the Rules Committee.

NOTICE OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 26, 2004

The House Business and Labor Standing Committee has held its last scheduled meeting and reports the following bill back to the Rules Committee with a recommendation that if be referred for interim study:

S.B. 249 Defining Practice of Chiropractic Physician (Sen. D. C. Buttars); and

The Business and Labor Committee has returned **H.B. 173**, LIABILITY INSURANCE FOR CONTRACTORS – MONITORING SYSTEM, by Representative M. Morley, to the Rules Committee without recommendation with the following amendments:

1. Page 4, line 97:
After “(1)” delete “There” and insert “Subject to receiving adequate funding through a legislative appropriation, there”

2. Page 17, line 508:
Reinstate “through gross negligence or a pattern of negligence”; and

The House Business and Labor Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

- H.B. 12** Requirements for Recording Certain Real Estate Documents (Rep. D. Clark)
H.B. 76 Mobile Home Park Residency Act Amendments (Rep. C. Duckworth)
H.B. 102 Residential Mortgage Practices Amendments (Rep. E. Hutchings)
1st Sub S.B. 89 Contractor Licensing Amendments (Sen. P. Hellewell)
S.B. 162 Interstate Insurance Product Regulation – Compact (Sen. J. Valentine)

Katherine M. Bryson, Chair

Reports filed. On motion of Representative Morley, the reports of the Business and Labor committee were adopted.

S.B. 249, returned to the Rules Committee for interim study.

H.B. 173, as amended, returned to the Rules Committee without recommendation.

H.B. 12, H.B. 76, H.B. 102, Sub. S.B. 89, and S.B. 162, returned to the Rules Committee without action.

NOTICE OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 26, 2004

The Judiciary Committee recommends **H.B. 151**, PROTECTIVE CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT CHILDREN, by Representative E. Hutchings, be replaced with **1st Sub. H.B. 151**, PROTECTIVE CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT CHILDREN, and has returned it to the Rules Committee with a recommendation that it be referred for interim study; and

The Judiciary Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

- H.B. 194** Commission on Criminal and Juvenile Justice Membership (Rep. R. McGee); and

The Judiciary Committee recommends **H.B. 68**, CRIMINAL PENALTY AMENDMENT, by Representative D. Litvack, be replaced with **1st Sub.**

H.B. 68, CRIMINAL PENALTY AMENDMENT, with the following amendments, and has returned it to the Rules Committee without recommendation.

1. Page 3, Line 64:
After “color” delete “disability”
2. Page 3, Line 65:
At the beginning of the line delete “sexual orientation, national origin, ancestry”; and

The Judiciary Committee recommends **H.B. 271**, TUITION TAX CREDITS, by Representative J. Ferrin, be replaced and reports a favorable recommendation on **1st Sub. H.B. 271**, TUITION TAX CREDITS with the following amendments:

1. Page 1, Line 25:
25 • enrolls at least ~~[[75]]~~ 40 students;
2. Page 2, Lines 29 through 30:
29 Monies Appropriated in this Bill:
30 ~~[[None]]~~ This bill appropriates \$2,000,000 from the General Fund and \$3,486,100 from the Uniform School Fund for fiscal year 2004–05 only to the State Board of Education.
3. Page 2, Line 34:
34 ENACTS:
53A–17a–150, Utah Code Annotated 1953
4. Page 3, Line 60:
60 (B) has an enrollment of less than ~~[[75]]~~ 40 students.
5. Page 3, Line 83:
83 back.
(4)(a) Only one taxpayer may claim a refundable tax credit for each qualifying student each taxable year.
(b) The taxpayer who claims a personal exemption for the qualifying student shall have the right to claim the refundable tax credit, unless that taxpayer authorizes another person to claim the refundable tax credit.

(c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission shall make rules to administer Subsections (4)(a) and (4)(b).

(5) For taxable years beginning on or after January 1, 2005, a refundable tax credit may not be claimed if the qualifying student was enrolled in a private school for part of the taxable year and in a Utah public school for part of the same taxable year.

6. Page 3, Line 84:

Section 2. Section 53A-17a-150 is enacted to read:

53A-17a-150. Appropriation for school districts affected by tuition tax credits.

(1) There is appropriated \$2,000,000 from the General Fund and \$3,486,100 from the Uniform School Fund for fiscal year 2004-05 only to the State Board of Education to be distributed to school districts that suffer any actual losses that can be attributed to the enactment of the tuition tax credit under Section 59-10-136.

(2) The appropriation under Subsection (1) shall be nonlapsing.

(3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the board shall make rules establishing criteria and procedures for the distribution of funds appropriated under Subsection (1).

84 Section [2] 3 . Retrospective operation.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

Sub. H.B. 151, returned to the Rules Committee for interim study.

H.B. 194, returned to the Rules Committee without action.

Sub. H.B. 68, as amended, returned to the Rules Committee without recommendation.

Sub. H.B. 271, as amended, returned to the Rules Committee with a favorable recommendation.

* * *

Mr. Speaker:

February 26, 2004

The Public Utilities and Technology Committee recommends **H.B. 216**, INTERNET PRIVACY ACT, by Representative W. Harper, be replaced with

3. Page 3, Line 76:
After "appealed" insert "by the student"; and

The Education Committee recommends **H.B. 299**, TEACHER ACCRUAL OF CONTINUING EDUCATION REQUIREMENTS, by Representative E. Hutchings, be replaced with **1st Sub. H.B. 299**, TEACHER ACCRUAL OF CONTINUING EDUCATION REQUIREMENTS, with the following amendments, and has returned it to the Rules Committee.

1. Page 1, Line 15:
After "50" delete "% of"
2. Page 2, Line 37:
After "50" delete "% of"
3. Page 2, Line 45:
After "50" delete "% of the"
4. Page 2, Line 46:
After line 46 insert the following:
"(iv) The board rules may limit the number of professional development points that may be earned each year by teaching or volunteering as a teacher's aide."; and

The House Education Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

| | |
|-----------------|---|
| H.B. 110 | Educator Licensing Amendments (Rep. D. Cox) |
| H.B. 115 | Carson Smith Special Needs Scholarships (Rep. J. M. Philpot) |
| H.B. 98 | Eligibility for Interscholastic Athletics (Rep. A. Hardy) |
| H.B. 130 | Kindergarten Assessment Requirements (Rep. K. Morgan) |
| H.B. 366 | Repeal of Exemption from Nonresident Tuition (Rep. G. Donnelson) |

Margaret Dayton, Chair

Reports filed. On motion of Representative Dayton, the reports of the Education committee were adopted.

H.B. 224, as amended, **H.B. 307**, as amended, and **Sub. H.B. 299**, as amended, returned to the Rules Committee without recommendation.

H.B. 110, **H.B. 115**, **H.B. 98**, **H.B. 130**, and **H.B. 366**, returned to the Rules Committee without action.

* * *

Mr. Speaker: February 26, 2004

The House Law Enforcement and Criminal Justice Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

H.B. 300 Victim Reparations Amendments (Rep. E. Hutchings);
and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 63, IDENTIFICATION OF STOLEN FIREARMS**, by Representative J. Buffmire, be replaced with **1st Sub. H.B. 63, IDENTIFICATION OF STOLEN FIREARMS**, and has returned it to the Rules Committee without recommendation.

DeMar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 300 returned to the Rules Committee without action.

Sub. H.B. 63 returned to the Rules Committee without recommendation.

* * *

Mr. Speaker: February 26, 2004

The Political Subdivisions Standing Committee has held its last scheduled meeting and reports the following bill back to the Rules Committee without action:

H.B. 313 Redevelopment Agency Revisions
(Representative J. Gowans)

Kory M. Holdaway, Chair

Report filed. On motion of Representative Holdaway, the report of the Political Subdivisions committee was adopted.

H.B. 313, returned to the Rules Committee without action.

* * *

Mr. Speaker: February 26, 2004

The House Workforce Services and Community and Economic Development Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

H.C.R. 16 Resolution Urging Retirement System Support of
Economic Development (Rep. P. Wallace)

S.B. 165 Workers' Compensation Amendments (Sen. C. Bramble)
David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

H.C.R. 16 and **S.B. 165**, returned to the Rules Committee without action.

* * *

Mr. Speaker: February 25, 2004

The House Government Operations Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

H.J.R. 1 Resolution Amending Dates of Annual Legislative
Session (Rep. S. Mascaro)

James A. Ferrin, Chair

Report filed. On motion of Representative Harper, the report of the Government Operations committee was adopted.

H.J.R. 1, returned to the Rules Committee without action.

* * *

Mr. Speaker: February 25, 2004

The Transportation Committee has returned **H.B. 208**, REGULATION OF MOTORIZED SCOOTERS, by Representative B. Dee, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Line 19:

19 [~~and~~]

▶ exempts a person with disability from certain use restrictions for a personal motorized mobility device and a motor assisted scooter; and

2. Page 9, Lines 257 through 259:

257 [~~(5)~~] (6) Except where posted or prohibited by rule or local ordinance, a motor assisted

258 scooter is considered a nonmotorized vehicle if it is being used with the motor turned off.

259 (7) The provisions of this section do not apply to a motorized scooter, motorized wheelchair, or other device being used for mobility by a person with a disability as defined by and covered under the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102.

~~[(6)]~~ ~~[[7]]~~ (8) A person who violates this section is guilty of a class C misdemeanor.; and

The House Transportation Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

- | | |
|---------------------|---|
| Sub. H.B. 89 | Special Group License Plate Amendments (Rep. M. Morley) |
| H.B. 196 | Safety Inspection and Emission Amendments (Rep. W. Harper) |
| H.B. 258 | Prohibiting Cell Phone Use for New Drivers (Rep. C. Moss) |
| H.B. 354 | Salvage Vehicle Amendments (Rep. G. Curtis) |

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

H.B. 208, as amended, returned to the Rules Committee without recommendation.

Sub. H.B. 89, **H.B. 196**, **H.B. 258**, and **H.B. 354**, returned to the Rules Committee without action.

* * *

Mr. Speaker: February 25, 2004

The Revenue and Taxation Committee has returned **H.B. 352**, INHERITANCE TAX ACT AMENDMENTS, by Representative B. Goodfellow, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Line 24:

24 ~~[[None]]~~ This bill has retrospective operation to January 1, 2004.

2. Page 3, Line 77:

77 estate tax imposed by Section 2001, Internal Revenue Code. Section 3. Effective date.

This bill has retrospective operation to January 1, 2004.; and

The Revenue and Taxation Committee has returned **H.J.R. 26**, RESOLUTION PROVIDING PROPERTY TAX EXEMPTION, by Representative J. Ferrin, to the Rules Committee without recommendation with the following amendments:

1. Page 3, Line 67:
After “possessed” insert “for educational purposes”; and

The House Revenue and Taxation Standing Committee has held its last scheduled meeting and reports the following bills back to the Rules Committee without action:

| | |
|-----------------|--|
| H.B. 44 | Use of Public Education Monies (Rep. P. Jones) |
| H.B. 45 | Individual Income Tax Amendments for Education Funding (Rep. P. Jones) |
| H.B. 331 | Choice in Health Care (Rep. K. Bryson) |
| S.B. 177 | Property Tax – Outdoor Advertising (Sen. M. Waddoups) |

Wayne A. Harper, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Revenue and Taxation committee were adopted.

H.B. 352, as amended, **H.J.R. 26**, as amended, returned to the Rules Committee without recommendation.

H.B. 44, **H.B. 45**, **H.B. 331**, and **S.B. 177**, returned to the Rules Committee without action.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 147, MUNICIPAL CODE CONDEMNATION, read the third time by short title and placed on its final passage.

H.B. 147 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|------------|--------------|------------|-----------|
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | McCartney |
| McGee | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|---------|--------|
| Bigelow | Ferrin | Mascaro | Morgan |
| M. Stephens | | | |

H.B. 147 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Styler, the House voted to uncircle **2nd Sub. H.B. 230**.

2nd Sub. H.B. 230, PROPERTY TAX LEVY FOR EDUCATION, was before the House on its reconsideration.

2nd Sub. H.B. 230 then failed to pass on the following roll call:

Yeas, 32; Nays, 42; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|------------|----------|--------------|-------------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Bowman | Buffmire | D. Cox |
| Daniels | Dillree | Duckworth | Dunnigan |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Hogue | Holdaway | E. Hutchings | Jones |
| King | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Pace | Seitz | Shurtliff | Styler |

Voting in the negative were: Representatives

| | | | |
|----------|------------|-----------|-------------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bird | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Curtis | Dayton |
| Dee | Donnelson | Dougall | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hughes | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Morley |
| Newbold | Noel | Peterson | Philpot |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting was: Representative

M. Stephens

2nd Sub. H.B. 230 was filed.

THIRD READING CALENDAR

Sub. H.B. 261, GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE, read the third time by short title and placed on its final passage.

On motion of Representative McCartney, the House voted to circle **Sub. H.B. 261**.

* * *

H.B. 332, VETERANS SPECIAL GROUP LICENSE PLATE, read the third time by short title and placed on its final passage.

H.B. 332 then passed on the following roll call:

Yeas, 53; Nays, 16; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Duckworth | Dunnigan | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |

| | | | |
|-----------|----------|--------|-----------|
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Seitz | Shurtliff |
| Styler | Thompson | Ure | Urquhart |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|-------------|----------|
| Bennion | Buttars | Christensen | Dayton |
| Donnelson | Dougall | Ferrin | Ferry |
| Frank | Harper | B. Johnson | Lockhart |
| Newbold | Pace | G. Snow | Wallace |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|--------|----------|
| Dee | Dillree | Morley | Peterson |
| Philpot | M. Stephens | | |

H.B. 332 transmitted to the Senate for its consideration.

* * *

H.B. 133, PROPERTY TAX – VETERANS’ EXEMPTION, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **H.B. 133**.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle **Sub. H.B. 266**.

Sub. H.B. 266, REVISIONS TO CHILD WELFARE, was before the House on its final passage.

Representative Ferrin proposed the following amendment:

1. Page 8, Lines 219 through 227

219 As used in this chapter:

220 (1) (a) “Abuse” means:

221 [~~(a) actual or threatened nonaccidental physical or mental harm;~~]

222 [~~(b) negligent treatment;~~]

- 223 (i) physical abuse;
 224 (ii) serious physical abuse;
 225 (iii) mental cruelty;
 226 ~~[(e)]~~ (iv) sexual exploitation; [[øF]]
 227 ~~[(d)-any]~~ (v) sexual abuse[[-]] ; or
(vi) an injury, accident, or other incident that was caused
intentionally, knowingly, recklessly, or with criminal negligence as
defined in Section 76-2-103.

2 Page 8, Lines 228 through 234:

- 228 (b) “Abuse” does not include:
 229 (i) unintentional incidents, including unintentional accidents and
unintentional injuries[[-]
 230 ~~unless the injury, accident, or other incident was caused~~
~~intentionally, knowingly, recklessly, or~~
 231 ~~with criminal negligence, as defined in Section 76-2-103]];~~ or
 232 (ii) reasonable parental discipline or management of a child with
which a child may
 233 disagree, including prohibiting the use of an automobile or other
possession and the
 234 withholding of other privileges.

3. Page 10, Lines 292 through 300:

- 292 (ii) lack of adequate care by a parent or guardian; and
 293 ~~[(ii)-subjecting a child to mistreatment or abuse;]~~
 294 ~~[(iii) lack of proper parental care by reason of the fault or habits of~~
~~the parent,~~
 295 ~~guardian, or custodian;]~~
 296 ~~[(iv) failure or refusal of a parent, guardian, or custodian to provide~~
~~proper or necessary~~
 297 ~~subsistence, education, or medical care, including surgery or~~
~~psychiatric services when~~
 298 ~~required, or any other care necessary for his health, safety, morals,~~
~~or well-being; or]~~

299[[~~(v) a child at~~] (iii) substantial risk of ~~[being neglected]~~ neglect or ~~[abused]~~ abuse

300 ~~because another child in the same home is neglected or abused[-]; and]]~~

- 4 Page 11, Lines 305 through 307:

305 ~~[[~~(iv)~~]]~~ (iii) failure by a parent or guardian ~~[fails]~~ to make a good faith effort to ensure that

306 ~~[the]~~ a child receives an appropriate education[-] after having received notice that the child has

307 been frequently absent from school without good cause.

5. Page 39, Lines 1185 through 1187:

1185 (i) unintentional incidents, including unintentional accidents and unintentional injuries,

1186 ~~[[unless the injury, accident, or other incident was caused intentionally, knowingly, recklessly, or~~

1187 with criminal negligence, as defined in Section 76-2-103]]; and

6. Page 42, Lines 1280 through 1288:

1280(1) As used in this chapter:

1281 (a) (i) "Abused child" [includes] means a minor less than 18 years of age who ~~[- (i)]~~ has

1282 ~~suffered [or been threatened with nonaccidental physical or mental harm, negligent treatment,~~

1283 ~~or sexual exploitation; or (ii) has been the victim of any sexual abuse.-];~~

1284 (A) physical abuse;

1285 (B) serious physical abuse;

1286 (C) mental cruelty;

1287 (D) sexual exploitation; [[~~or~~]]

1288 (E) sexual abuse[[-]] ; or

(F) any injury, accident, or other incident that was caused intentionally, knowingly, recklessly, or with criminal negligence as defined in Section 76-2-103.

7. Page 42, Lines 1290 through 1292:

1290 (A) unintentional incidents, including unintentional accidents and unintentional

1291 injuries ~~[[, unless the injury, accident, or other incident was caused intentionally, knowingly,~~

1292 recklessly, or with criminal negligence, as defined in Section 76-2-103]]; and

8. Page 44, Line 1354:

1354 (II) demonstrated a lack of adequate care for the minor; and

9. Page 45, Lines 1362 through 1364:

1362 ~~[[(E)]~~ (B) a minor who is at substantial risk of being a neglected child or an abused

1363 child ~~[as defined in this chapter]~~ because another minor in the same home is a neglected child

1364 ~~or abused child [as defined in this chapter.]; and]]~~

10. Page 45, Line 1367:

1367 ~~[[(C)]]~~ (B) a minor whose parent or guardian, after receiving notice that [a] the minor has been

Representative Ferrin's motion to amend passed on a voice vote.

###

Representative Bennion proposed the following amendment:

1. Page 10, Line 294 through Page 11, Line 307

294 ~~[[(i)]]~~ (iii) lack of proper parental care by reason of the fault or habits of the parent,

295 guardian, or custodian; ~~[[(i)]]~~

296 ~~[[(iv) failure or refusal of a parent, guardian, or custodian to provide proper or necessary~~

297 ~~subsistence, education, or medical care, including surgery or psychiatric services when~~

298 required, or any other care necessary for his health, safety, morals,
or well-being; or]

299 ~~[(v) a child at]~~ ~~[(iii)]~~ (iv) substantial risk of [being neglected]
neglect or [abused] abuse

300 because another child in the same home is neglected or abused[-];
and

301 ~~[(b) The aspect of neglect relating to education, described in~~
~~Subsection (18)(a)(iv),~~

302 ~~means that, after receiving notice that a child has been frequently~~
~~absent from school without~~

303 ~~good cause, or that the child has failed to cooperate with school~~
~~authorities in a reasonable~~

304 ~~manner,]~~

305 ~~[[iv]]~~ (v) failure by a parent or guardian ~~[fails]~~ to make a good
faith effort to ensure that

306 ~~[the]~~ a child receives an appropriate education[-] after having
received notice that the child has

307 been frequently absent from school without good cause.

2. Page 24, Lines 728 through 730:

728 (A) a reasonable person acting under the existing circumstances
would expect the

729 discipline to create a ~~[[substantial]]~~ serious risk of physical abuse
of, or mental cruelty to, the child;

730 (B) the discipline was not justified under Section 76-2-401; or

3. Page 25, Lines 752 through 756:

752 (4) When circumstances within the family pose a ~~[[substantial]]~~
serious threat to the child's health,

753 safety, or welfare, the state's interest in the child's welfare is
paramount to the rights of a parent.

754 The division may obtain custody of the child for a planned period
and place him in a safe

755 environment, in accordance with the requirements of Title 78,
Chapter 3a, Part 3, Abuse,

756 Neglect, and Dependency Proceedings.

4. Page 35, Lines 1062 through 1074:

1062 (1) Except as provided in [~~Subsection~~] Subsections (2) through (4),
when any person

1063 including persons licensed under Title 58, Chapter 67, Utah
Medical Practice Act, or Title 58,

1064 Chapter 31b, Nurse Practice Act, has reason to believe[~~[, and not
merely suspect that the~~

1065 possibility exists,] that a child has been subjected to incest,
molestation, sexual exploitation,

1066 sexual abuse, physical abuse, or neglect, or who observes a child
being subjected to conditions

1067 or circumstances which would reasonably result in sexual abuse,
physical abuse, or neglect,

1068 [~~he~~] that person shall immediately notify the nearest peace officer,
law enforcement agency, or

1069 office of the division. On receipt of this notice, the peace officer or
law enforcement agency

1070 shall immediately notify the nearest office of the division. If an
initial report of child abuse or

1071 neglect is made to the division, the division shall immediately
notify the appropriate local law

1072 enforcement agency. The division shall, in addition to its own
investigation, comply with and

1073 lend support to investigations by law enforcement undertaken
pursuant to a report made under

1074 this section.

Representative Ferry proposed the following substitute motion to amend:

1. Page 3, Line 75:
Delete "2004" and insert "2005"
2. Page 79, Line 2416:
Standing committee report dated 2-19-2004
Delete "October 1, 2004" and insert "July 1, 2005"

Representative Ferry's motion to amend passed on the following roll call:

Yeas, 38; Nays, 33; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|----------|----------|
| Aagard | Adams | S. Allen | Barrus |
| Bigelow | Bowman | Buffmire | Buttars |
| Buxton | D. Clark | D. Cox | Curtis |
| Dee | Dougall | Dunnigan | Ferry |
| Goodfellow | Hardy | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Lawrence | Love | Mascaro | Morgan |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Urquhart | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|---------|
| Alexander | Anderson | Becker | Bird |
| Biskupski | Bourdeaux | Bryson | Bush |
| Christensen | S. Clark | Daniels | Dayton |
| Dillree | Donnelson | Duckworth | Ferrin |
| Frank | Gowans | Hansen | Harper |
| Hendrickson | Hughes | Kiser | Last |
| Litvack | Lockhart | McCartney | McGee |
| Morley | Moss | Noel | Philpot |
| Thompson | | | |

Absent or not voting were: Representatives

| | | | |
|---------|-----|---------|-------------|
| Bennion | Ure | Wallace | M. Stephens |
|---------|-----|---------|-------------|

Representative Bennion proposed the following amendment:

1. Page 10, Line 294 through Page 11, Line 307:

294 ~~[[F]](iii) lack of proper parental care by reason of the fault or habits of the parent,~~

295 ~~guardian, or custodian;[[F]]~~

296 ~~[(iv) failure or refusal of a parent, guardian, or custodian to provide proper or necessary~~

297 ~~subsistence, education, or medical care, including surgery or psychiatric services when~~

298 ~~required, or any other care necessary for his health, safety, morals, or well-being; or]~~

301 ~~[(b) The aspect of neglect relating to education, described in Subsection (18)(a)(iv);~~

302 ~~means that, after receiving notice that a child has been frequently absent from school without~~

303 ~~good cause, or that the child has failed to cooperate with school authorities in a reasonable~~

304 ~~manner,]~~

305 ~~[[~~(iv)~~]]~~ (v) failure by a parent or guardian ~~[fails]~~ to make a good faith effort to ensure that

306 ~~[the]~~ a child receives an appropriate education[-] after having received notice that the child has

307 been frequently absent from school without good cause.

2. Page 24, Lines 728 through 730:

728 (A) a reasonable person acting under the existing circumstances would expect the

729 discipline to create a [[~~substantial~~]] serious risk of physical abuse of, or mental cruelty to, the child;

730 (B) the discipline was not justified under Section 76-2-401; or

3. Page 25, Lines 752 through 756:

752 (4) When circumstances within the family pose a ~~[[~~substantial~~]]~~ serious threat to the child's health,

753 safety, or welfare, the state's interest in the child's welfare is paramount to the rights of a parent.

754 The division may obtain custody of the child for a planned period and place him in a safe

755 environment, in accordance with the requirements of Title 78, Chapter 3a, Part 3, Abuse,

756 Neglect, and Dependency Proceedings.

4. Page 35, Lines 1062 through 1074:

1062 (1) Except as provided in ~~[Subsection]~~ Subsections (2) through (4), when any person

1063 including persons licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58,

1064 Chapter 31b, Nurse Practice Act, has reason to believe[~~[, and not merely suspect that the~~

1065 ~~possibility exists,]] that a child has been subjected to incest, molestation, sexual exploitation,~~

1066 sexual abuse, physical abuse, or neglect, or who observes a child being subjected to conditions

1067 or circumstances which would reasonably result in sexual abuse, physical abuse, or neglect,

1068 [he] that person shall immediately notify the nearest peace officer, law enforcement agency, or

1069 office of the division. On receipt of this notice, the peace officer or law enforcement agency

1070 shall immediately notify the nearest office of the division. If an initial report of child abuse or

1071 neglect is made to the division, the division shall immediately notify the appropriate local law

1072 enforcement agency. The division shall, in addition to its own investigation, comply with and

1073 lend support to investigations by law enforcement undertaken pursuant to a report made under

1074 this section.

Representative Bennion’s motion to amend passed on a voice vote.

Sub. H.B. 266, as amended, then passed on the following roll call:

Yeas, 43; Nays, 29; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Christensen |
| D. Clark | S. Clark | D. Cox | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Harper | Hogue | Holdaway | Hughes |

| | | | |
|--------------|------------|----------|----------|
| E. Hutchings | B. Johnson | Kiser | Lockhart |
| Love | Mascaro | Morley | Newbold |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Urquhart | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Buttars | Buxton | Curtis |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Jones |
| King | Last | Lawrence | Litvack |
| McCartney | McGee | Morgan | Moss |
| Murray | Pace | Shurtliff | Styler |
| Webb | | | |

Absent or not voting were: Representatives

| | | |
|-----|---------|-------------|
| Ure | Wallace | M. Stephens |
|-----|---------|-------------|

Sub. H.B. 266, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 4:25 p.m.

Speaker Pro Tem Curtis called the House to order at 4:30 p.m.

UNFINISHED BUSINESS

On motion of Representative Bush, the House voted to uncircle **H.B. 133**.

H.B. 133, PROPERTY TAX – VETERAN’S EXEMPTION, was before the House on its final passage.

H.B. 133 then passed on the following roll call:

Yeas, 64; Nays, 1; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |

| | | | |
|-----------|----------|--------------|-------------|
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hardy | Harper | Hendrickson |
| Hogue | Hughes | E. Hutchings | Jones |
| King | Last | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Webb | M. Stephens |

Voting in the negative was: Representative
Dougall

Absent or not voting were: Representatives

| | | | |
|------------|------------|----------|----------|
| Becker | Goodfellow | Hansen | Holdaway |
| B. Johnson | Kiser | Lawrence | Morley |
| Moss | Wallace | | |

H.B. 133 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative McCartney, the House voted to uncircle **Sub. H.B. 261**.

Sub. H.B. 261, GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE, was before the House on its final passage.

Representative McCartney proposed the following amendment:

- Page 2, Line 56 through Page 3, Line 57
 - (3) “Control” means:
 - (a) ownership of more than 5% of the voting shares or ownership interests of an entity;
 - (b) the power to vote more than 5% of the voting shares of an entity; or
 - (b) the ability to influence the management of an entity.

56 ~~[(3)]~~ (4) “Enforcing authority” means the Division of Consumer Protection.

57 ~~[(4)]~~ (5) “Final judgment” means a judgment, including any supporting opinion, that

2. Page 3, Line 60:

60 ~~[(5)]~~ (6) (a) Except as provided in Subsection ~~[(5)]~~ (6) (b). “gift certificate” means a certificate.

3. Page 3, Lines 71 through 73:

71 (b) “Gift certificate” does not include :
(i) a financial transaction card as defined in Section
72 13-38-101 ~~[[]]~~ ; or
(ii) a certificate, electronic card, or other medium issued by:
(A) a depository institution, as defined in Section 7-1-103; or
(B) an entity that:
(I) controls a depository institution, as defined in Section 7-1-103;
(II) is controlled by an entity that controls a depository institution,
as defined in Section 7-1-103; or
(III) is controlled by a depository institution, as defined in Section
7-1-103.

73 ~~[(5)]~~ ~~[[6]]~~ (7) “Person” means an individual, corporation, government, governmental

4. Page 3, Line 76:

76 ~~[(6)]~~ ~~[[7]]~~ (8) “Supplier” means a seller, lessor, assignor, offeror, broker, or other person

5. Page 6, Line 159:

159 (s) imposes on a gift certificate with a value exceeding \$25 :

Representative McCartney’s motion to amend passed on a voice vote.

Sub. H.B. 261, as amended, then passed on the following roll call:

Yeas, 43; Nays, 30; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|--------------|------------|
| S. Allen | Becker | Bigelow | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Christensen | D. Clark | S. Clark | Daniels |
| Dee | Dillree | Ferrin | Goodfellow |
| Gowans | Hansen | Hardy | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |

| | | | |
|-----------|---------|-----------|----------|
| Jones | King | Last | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Noel | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|-------------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Bird | Bush | Buttars |
| Buxton | D. Cox | Curtis | Dayton |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Harper | Hendrickson |
| Kiser | Lockhart | Love | Morley |
| Murray | Newbold | Pace | Peterson |
| Thompson | M. Stephens | | |

Absent or not voting were: Representatives

| | |
|---------|---------|
| Bennion | Philpot |
|---------|---------|

Sub. H.B. 261, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 26, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar:

| | |
|--------------------------|--|
| H.B. 115 | Carson Smith Special Needs Scholarships (Rep. J. M. Philpot) |
| 1st Sub. H.B. 259 | Special Needs Adoption – Preplacement Evaluations (Rep. A. Hardy) |
| 1st Sub. H.B. 276 | Adoption Law Revisions (Rep. R. McGee) |
| H.B. 310 | Child Support Amendments (Rep. K. Bryson) |
| 1st Sub. H.B. 321 | Motor Vehicle Registration Revisions (Rep. C. Bennion) |
| H.B. 327 | Impounded Vehicles Amendments (Rep. E. Hutchings) |
| H.B. 132 | Driver License Amendments (Rep. D. Ure) |
| 1st Sub. H.B. 281 | Toxic Mold Disclosure (Rep. D. Hogue) |
| H.B. 298 | Residence Lien Recovery Fund Amendments (Rep. S. Clark) |
| H.B. 303 | Child Welfare Revisions (Rep. S. Mascaro) |
| H.B. 301 | Voter Registration Amendments (Rep. M. Thompson) |
| H.B. 318 | Uniform Statewide Fees for Certain Tangible Personal Property (Rep. C. Bennion) |

- 1st Sub. H.B. 348** Privacy Amendments (Rep. M. Thompson)
H.C.R. 8 Resolution Promoting Reading Readiness by Encouraging
Utah Citizens to Read with a Child 20 Minutes a Day
(Rep. K. Morgan)
- H.B. 322** Golf Carts Allowed on Certain Highways (Rep. C. Moss)
Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until February 27, 2004, at 8:00 a.m.

FORTIETH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 8:05 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Kory M. Holdaway.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 26, 2004
The Senate passed, as amended, **H.B. 94**, HEALTH INSURANCE POOL, by Representative C. Bennion, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 94**, placed on the calendar for concurrence.

CONSENT CALENDAR

H.B. 370, TOURISM TAX ADVISORY BOARD, read the third time by short title and placed on its final passage.

H.B. 370 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| B. Johnson | King | Kiser | Last |

| | | | |
|----------|-----------|----------|-------------|
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|----------|--------------|
| Bird | Bourdeaux | Buffmire | E. Hutchings |
| Jones | Morgan | Philpot | |

H.B. 370 transmitted to the Senate for its consideration.

* * *

Sub. S.B. 50, RURAL PLANNING AND DEVELOPMENT, read the third time by short title and placed on its final passage.

Sub. S.B. 50 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Biskupski |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|-----------|
| Alexander | Bigelow | Bird | Bourdeaux |
| Jones | Lockhart | Morgan | Philpot |

Sub. S.B. 50 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

H.C.R. 11, RESOLUTION ON HIGHER EDUCATION REMEDIAL CLASSES, read the third time by short title and placed on its final passage.

Representative Dillree proposed the following amendment:

- 1. Page 2, Lines 43 through 46

43 BE IT FURTHER RESOLVED that the Utah System of Higher Education is requested

44 to identify and implement new methods of providing remedial programs that are cost efficient

45 and in some instances completely self-sustaining based on student fees and tuition, thereby

46 reducing costs over time to both students and the state wherever possible and redirecting savings to other institutional priorities .

Representative Dillree’s motion to amend passed on a voice vote.

H.C.R. 11, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |

| | | | |
|-------------|----------|-----------|----------|
| Love | Mascaro | McCartney | McGee |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|------|----------|
| Alexander | Bigelow | Bird | Lockhart |
| Morgan | Philpot | | |

H.C.R. 11, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Mascaro, the House voted to uncircle **2nd Sub. H.B. 56**.

2nd Sub. H.B. 56, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES, was before the House on its reconsideration.

On motion of Representative Mascaro, the House voted to delete **2nd Sub. H.B. 56** in title and body and insert **3rd. Sub. H.B. 56** in lieu thereof.

Representative Murray proposed the following amendment:

1. Page 12, Line 350:
Delete “\$200” and insert “\$500”

Representative Murray’s motion to amend failed on a voice vote.

3rd Sub. H.B. 56 then passed on the following roll call:

Yeas, 52; Nays, 19; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Dayton | Dee |
| Dunnigan | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | Last |

| | | | |
|-----------|---------|----------|-------------|
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|-------------|---------|
| Alexander | Bennion | Christensen | Curtis |
| Daniels | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Frank | Harper |
| Hughes | Kiser | Lockhart | Murray |
| Newbold | Philpot | Ure | |

Absent or not voting were: Representatives

| | | | |
|------|--------------|------|--------|
| Bird | E. Hutchings | King | Morley |
|------|--------------|------|--------|

3rd Sub. H.B. 56, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.B. 140, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to delete **Sub. H.B. 140** in title and body and insert **3rd Sub. H.B. 140** in lieu thereof.

Representative Daniels proposed the following amendment:

1. Page 34, Line 1039–1041:
Delete lines 1039 through 1041.

Representative Daniels' motion to amend failed on the following roll call:

Yeas, 21; Nays, 46; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|------------|----------|----------|-------------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Buffmire | Daniels | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Jones | King | Lawrence | Litvack |
| McCartney | McGee | Morgan | Moss |
| Shurtliff | | | |

Voting in the negative were: Representatives

| | | | |
|--------------|-------------|-------------|----------|
| Agard | Adams | Barrus | Bennion |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Love | Morley | Murray | Newbold |
| Noel | Pace | Philpot | Seitz |
| G. Snow | Styler | Thompson | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------|----------|
| Alexander | Bigelow | Curtis | Lockhart |
| Mascaro | Peterson | Ure | Urquhart |

###

Representative Litvack proposed the following amendment:

1. Page 27, Lines 805–806:
Delete “beyond a reasonable doubt” and reinstate the deleted language on lines 805 and 806.
2. Page 27, Lines 829–831:
Delete lines 829 through 831.
3. Page 28, Line 833:
Delete “shall” and insert “may”
4. Page 28, Line 834:
Delete “as designated by the parent or guardian”
5. Page 28, Lines 835–841:
Delete lines 835 through 841 and renumber accordingly.
6. Page 28, Lines 845–848:
Delete lines 845 through 848 and renumber accordingly.
7. Page 28, Line 850:
Delete line 850 and renumber accordingly.

Representative Newbold proposed the following substitute motion to amend:

- 1. Page 28, Lines 845–848:
Delete lines 845 through 848 and move them to page 11, after line 329 for interim study. Renumber accordingly.
- 2. Page 28, Line 850:
Delete line 850 move it to page 11, after line 329 for interim study. Renumber accordingly.

On motion of Representative Christensen, the House voted to circle **3rd Sub. H.B. 140.**

* * *

Sub. H.B. 268, CHILD WELFARE PROCESSES, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. H.B. 268.**

* * *

H.B. 358, AMENDMENTS TO ACCESS TO HEALTH CARE PROVIDERS, read the third time by short title and placed on its final passage.

H.B. 358 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |

| | | | |
|-----------|----------|---------|----------|
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

S. Allen Bigelow M. Stephens

H.B. 358 transmitted to the Senate for its consideration.

* * *

H.B. 365, DISCLOSURE OF STATE EMPLOYEES' COMPENSATION AND BENEFITS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.B. 365**.

* * *

H.B. 115, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **H.B. 115**.

UNFINISHED BUSINESS

On motion of Representative Thompson, the House voted to uncircle **1st Sub. H.B. 268**.

1st Sub. H.B. 268, CHILD WELFARE PROCESSES, was before the House on its final passage.

Representative Thompson proposed the following amendment:

1. Page 12, Lines 336 through 337

336 (iii) parent[[]] and family support groups unless the parent is alleged to be the perpetrator;

337 and

2. Page 28, Lines 854 through 855:

854 (viii) the child has been removed from his home on at least two previous occasions and

855 reunification services were offered or provided to the family at those times; [[øf]]

- 3. Page 32, Lines 980 through 981
House Committee Amendments
2-24-2004:

980 (c) conduct or supervise an independent investigation in order to obtain first-hand, a

981 clear understanding of the situation and needs of the child;[[and]]

- 4. Page 35, Lines 1072 through 1073
House Committee Amendments 2-24-2004:

1072 (e) The Office of he Guardian [[ad]] Ad Litem shall present an annual report to the Child

1073 Welfare Legislative Oversight Panel detailing:

- 5. Page 35, Line 1077
House Committee Amendments 2-24-2004:

1077 (iii) the number of children served by the Office of the Guardian [[ad]] Ad Litem.

Representative Thompson’s motion to amend passed on a voice vote.

1st Sub. H.B. 268, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |

| | | | |
|----------|---------|----------|-------------|
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives
Bigelow Bourdeaux McCartney

1st Sub. H.B. 268, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 10:05 a.m.

Speaker Pro Tem Harper called the House to order at 10:15 a.m.

THIRD READING CALENDAR

Sub. H.B. 259, SPECIAL NEEDS ADOPTION – PREPLACEMENT EVALUATIONS, read the third time by short title and placed on its final passage.

Representative Hardy proposed the following amendment:

- Page 1, Line 13:
Delete “Division of Child and Family Services” and insert “Department of Human Resources”

Representative Hardy’s motion to amend passed on a voice vote.

Sub. H.B. 259, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|---------|-------------|-----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |

| | | | |
|------------|-------------|-----------|--------------|
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|-------|--------|
| Alexander | Curtis | Hogue | Hughes |
| Philpot | M. Stephens | | |

Sub. H.B. 259, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 276, ADOPTION LAW REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative McGee, the House voted to circle **Sub. H.B. 276**.

* * *

H.B. 310, CHILD SUPPORT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 310 then passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-------------|
| Adams | S. Allen | Anderson | Becker |
| Bennion | Biskupski | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |

| | | | |
|----------|-------------|----------|-----------|
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Philpot |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|---------|-----------|
| Aagard | Barrus | Bird | Bourdeaux |
| Buffmire | S. Clark | D. Cox | Daniels |
| Dougall | Frank | Litvack | Pace |
| Peterson | Shurtliff | G. Snow | Styler |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|------------|
| Alexander | Bigelow | Curtis | B. Johnson |
| Seitz | | | |

H.B. 310 transmitted to the Senate for its consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate passed **S.J.R. 11**, RESOLUTION HONORING O. WILLIAM ASPLUND, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 11**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to consider **S.J.R. 11** read the second time by short title and placed at the top of the calendar for third reading.

* * *

On motion of Representative Styler, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 11, RESOLUTION HONORING O. WILLIAM ASPLUND, read the third time by short title and placed on its final passage.

S.J.R. 11 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|--------|-----|
| Bigelow | Buxton | Curtis | Ure |
|---------|--------|--------|-----|

S.J.R. 11 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Philpot, the House voted to uncircle **H.B. 115**.

H.B. 115, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, was before the House on its final passage.

On motion of Representative Newbold, the House voted to delete **H.B. 115** in title and body and insert **3rd Sub. H.B. 115** in lieu thereof.

Representative Christensen proposed the following amendment:

1. Page 2, Line 52:
After “needs” insert “which affect their ability to learn and maximize their capabilities” and delete the rest of line 52.
2. Page 2, Line 53:
Delete line 53.

Representative Allen proposed the following substitute motion to amend:

1. Page 2, Line 38
38 53A-1a-709, Utah Code Annotated 1953
53A-1a-710, Utah Code Annotated 1953
2. Page 4, Lines 101 through 105:
101 (c) the student shall be at least five years of age before September 2
of the year in
102 which admission to a private school is sought and under 19 years of
age on the last day of the
103 school year as determined by the private school, or, if the individual
has not graduated from
104 high school [~~with a regular diploma~~], will be under 22 years of age
on the last of the school year
105 as determined by the private school; and
3. Page 5, Lines 148 through 149:
148 (d) A scholarship may be extended for successive three-year
periods as provided in
149 Subsections (6)(b) and (6)(c) :
(i) until the student graduates from high school ; or
(ii) if the student does not graduate from high school, until the
student is age 22 .
4. Page 6, Lines 166 through 168:
166 (f) (i) administer an annual assessment of each scholarship
student’s academic

167 progress: [[and]]

168 (ii) report the results of the assessment to the student’s parent; and (iii) make the results available to the assessment team evaluating the student pursuant to Subsection 53A–1a–704(6):

5. Page 9, Line 270:

270 regulate private schools except as expressly set forth in this part. 53A–1a–710. Review by Legislative Auditor General. The Legislative Auditor General shall conduct a review and issue a report on the Carson Smith Scholarship Program after the program has operated for two school years.

Representative Allen’s substitute motion to amend passed on a voice vote.

3rd Sub. H.B. 115, as amended, then passed on the following roll call:

Yeas, 43; Nays, 29; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|-------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bird | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Harper |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Murray | Newbold | Peterson | Philpot |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|-------------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Bowman | Buffmire | D. Cox | Daniels |
| Duckworth | Dunnigan | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | Jones | King | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Seitz |
| Shurtliff | | | |

Absent or not voting were: Representatives
Bigelow Noel Styler

3rd Sub. H.B. 115, held for possible reconsideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 27, 2004
The Senate substituted and passed, **Senate 2nd Sub. H.B. 2**, GENERAL OBLIGATION BONDS AUTHORIZATIONS, by Representative L. Pace, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 2**, placed on the calendar for concurrence.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2004
The Senate passed, as substituted, and amended **1st Sub. S.B. 207**, OFFICE OF MUSEUM SERVICES AMENDMENTS, by Senator R. Allen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 207**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 27, 2004
The Senate refuses to concur with the House Amendments to **S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Urquhart, the House voted to refuse to recede from its amendments to **S.B. 48** and authorize the Speaker to appoint a Conference Committee. Speaker Stephens appointed Representatives Urquhart, Webb, and McCartney.

* * *

Mr. Speaker: February 27, 2004

The Senate concurred in the House amendments and passed **S.B. 219**, AMENDMENTS TO JUSTICE COURT OPERATIONS, by Senator E. Mayne, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 219** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 27, 2004

The Senate passed, **H.B. 213**, CHANGES TO INVESTMENT ADVISORY COMMITTEE, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 234**, SUNSET EXTENSION ON UNAUTHORIZED PRACTICE OF LAW, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 237**, DEPARTMENT OF CORRECTIONS – THERAPY PROVIDER QUALIFICATIONS, by Representative D. Bourdeaux, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 213**, **H.B. 234**, and **H.B. 237** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 27, 2004

The Senate passed, as amended, **1st Sub. H.B. 164**, RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS, by Representative B. King, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. H.B. 164**, placed on the calendar for concurrence.

RULES COMMITTEE REPORTS

Mr. Speaker: February 27, 2004

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

- H.B. 315** Local Option Sales and Use Tax Amendments
(Rep. J. Dougall)
- H.R. 11** Eligibility for Interscholastic Athletics Resolution
(Rep. A. Hardy)
- H.B. 367** Participation Allowed in State Employee Insurance System (Rep. D. Clark)
- 1st Sub. H.B. 311** Redevelopment Agency Amendments (Rep. J. S. Adams)
- H.B. 288** Process for Submitting Opinion Question to Ballot
(Rep. R. Becker)
- H.B. 101** Mental Health Services Coordinator (Rep. D. Hogue); and

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- 1st Sub. S.B. 185** Public Education Amendments (Sen. T. Hatch)
- S.B. 204** Redevelopment Agency Changes (Sen. D. Thomas)
- 1st Sub. S.B. 245** Medical Dispute Resolution Amendments
(Sen. L. Blackham)
- S.B. 131** Uniform Principal and Income Act (Sen. L. Hillyard)
- S.B. 165** Workers' Compensation Amendments (Sen. C. Bramble)
- S.B. 177** Property Tax – Outdoor Advertising (Sen. M. Waddoups)
- S.B. 249** Defining Practice of Chiropractic Physician
(Sen. D. C. Buttars)
- S.B. 183** Local Governments – Authority for Design–build Construction (Sen. H. Stephenson)

1st Sub. S.B. 26 Public Safety Retirees' Cost-of-living Increase
(Sen. D. C. Buttars)

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

CONCURRENCE CALENDAR

On motion of Representative Pace, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 2**, GENERAL OBLIGATION BONDS AUTHORIZATIONS.

2nd Sub. H.B. 2, as amended by the Senate, then passed on the following roll call:

Yeas, 46; Nays, 27; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|----------|--------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Duckworth |
| Dunnigan | Goodfellow | Hansen | Hardy |
| Harper | Hogue | Holdaway | E. Hutchings |
| Jones | King | Last | Lawrence |
| Litvack | Love | Mascaro | McGee |
| Morgan | Moss | Murray | Newbold |
| Pace | Shurtliff | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|-----------|
| Alexander | Bennion | Bigelow | Bryson |
| Bush | Buttars | Dayton | Donnelson |
| Dougall | Ferrin | Ferry | Frank |
| Gowans | Hughes | B. Johnson | Kiser |
| Lockhart | McCartney | Morley | Noel |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | M. Stephens | |

Absent or not voting were: Representatives

| | |
|-------------|-------------|
| Christensen | Hendrickson |
|-------------|-------------|

2nd Sub. H.B. 2, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 27, 2004

The Senate passed, as amended, **H.B. 328**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, by Representative L. Pace, and it is transmitted for further consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Pace, the House voted to refuse to concur with the Senate amendments to **H.B. 328** and to request the Senate to recede from its amendments.

UNFINISHED BUSINESS

On motion of Representative Last, the House voted to uncircle **H.B. 324**.

H.B. 324, SAFE DRINKING WATER ACT AMENDMENT, was before the House on its final passage.

H.B. 324 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |

| | | | |
|----------|-------------|-----------|---------|
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-------|------|-------|---------|
| Adams | King | Kiser | Philpot |
| Ure | | | |

H.B. 324 transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Johnson, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 92, BRUCELLOSIS VACCINATION.**

2nd Sub. H.B. 92, as amended by the Senate, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|--------|---------|
| Adams | Alexander | Hughes | King |
| Love | Morley | Pace | Philpot |
| Ure | | | |

2nd Sub. H.B. 92, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Webb, the House voted to concur in the Senate amendments to **H.B. 229**, PUBLIC UTILITY EASEMENTS.

H.B. 229, as amended by the Senate, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Agaard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|--------|--------|
| Adams | Alexander | Hansen | Hughes |
|-------|-----------|--------|--------|

H.B. 229, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Barrus, the House voted to concur in the Senate amendments to **H.B. 255**, WILDLIFE RESTITUTION AMENDMENTS.

H.B. 255, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|----------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-------|---------|--------|-----------|
| Adams | Bigelow | Hughes | McCartney |
| Seitz | | | |

H.B. 255, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Ferrin, the House voted to concur in the Senate amendments to **H.B. 171**, INSURANCE FRAUD AMENDMENTS.

H.B. 171, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|-----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |

| | | | |
|-----------|--------------|-------------|-------------|
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-------|--------|------|-----------|
| Adams | Hughes | King | McCartney |
| Seitz | Styler | Webb | |

H.B. 171, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Litvack, the House voted to concur in the Senate amendments to **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE.

H.B. 60, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |

| | | | |
|----------|-------------|-----------|---------|
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|-----------|-------|
| Buffmire | Hughes | McCartney | Seitz |
| Styler | | | |

H.B. 60, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Johnson, the House voted to refuse to concur with the Senate amendments to **H.B. 88**, STATE LAND USE MANAGEMENT PLANS, and to request the Senate to recede from its amendments.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate passed, as amended, **S.B. 248**, TRANSPORTATION GENERAL OBLIGATION BOND, by Senator D. Eastman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 248**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **S.B. 248** read the second time by short title and placed at the top of the Senate Third Reading Calendar.

* * *

On motion of Representative Curtis, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 248, TRANSPORTATION GENERAL OBLIGATION BOND, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 248**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 3:20 p.m.

Speaker Pro Tem Styler called the House to order at 3:30 p.m.

UNFINISHED BUSINESS

On motion of Representative Bush, the House voted to uncircle **S.B. 248**.

S.B. 248, TRANSPORTATION GENERAL OBLIGATION BOND, was before the House on its final passage.

Representative Holdaway proposed the following amendment:

1. Page 5, Line 121 and 121a:
Delete line 121a and reinstate the deleted language on line 121.

Representative Holdaway's motion to amend passed on a voice vote.

S.B. 248, as amended, then passed on the following roll call:

Yeas, 62; Nays, 6; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|--------|--------|
| Bennion | Donnelson | Hughes | Morley |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|-------------|-------|
| Bigelow | Bryson | Hendrickson | Hogue |
| Lockhart | Love | M. Stephens | |

S.B. 248, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, under suspension of the rules, the House voted to lift **S.B. 135, S.J.R. 6, S.B. 16, S.B. 114, S.B. 72,** and **Sub. S.B. 199** from the Rules Committee, considered read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 4:10 p.m.

Speaker Stephens called the House to order at 5:00 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate requests the return of **Sub. S.B. 26, PUBLIC SAFETY RETIREES' COST-OF-LIVING INCREASE**, by Senator D. C. Buttars, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Styler, the House voted to return **Sub. S.B. 26** to the Senate.

THIRD READING CALENDAR

S.B. 135, CENTER FOR MULTICULTURAL HEALTH, read the third time by short title and placed on its final passage.

S.B. 135, as amended, then passed on the following roll call:

Yeas, 46; Nays, 22; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|--------|
| S. Allen | Anderson | Barrus | Becker |
| Bennion | Biskupski | Bourdeaux | Bowman |

| | | | |
|--------------|-------------|------------|-----------|
| Buffmire | Buttars | D. Clark | S. Clark |
| Curtis | Daniels | Dee | Duckworth |
| Ferrin | Ferry | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Mascaro | McGee | Morgan | Moss |
| Murray | Noel | Pace | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|-------------|----------|
| Agard | Adams | Alexander | Bird |
| Bryson | Bush | Christensen | D. Cox |
| Dayton | Donnelson | Dougall | Dunnigan |
| Frank | Hardy | Harper | Hughes |
| Kiser | Morley | Peterson | Thompson |
| Ure | Urquhart | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-------------|------|
| Bigelow | Buxton | Dillree | Love |
| McCartney | Newbold | M. Stephens | |

S.B. 135, as amended, returned to the Senate for further consideration.

* * *

S.J.R. 6, RESOLUTION ON IMPEACHMENT AUTHORITY, read the third time by short title and placed on its final passage.

S.J.R. 6, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|------------|--------------|------------|----------|
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Lawrence | Litvack |
| Lockhart | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|------|------|
| S. Clark | Curtis | Last | Love |
| Philpot | M. Stephens | | |

S.J.R. 6, as amended, returned to the Senate for further consideration.

* * *

S.B. 16, IDENTITY THEFT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 16 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|-----------|----------|---------|----------|
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives
 Bourdeaux Love Ure M. Stephens

S.B. 16 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 114, AMENDMENTS TO PRESCRIBING, PREPARATION, AND DISPENSING OF PRESCRIPTION DRUGS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 114**.

* * *

S.B. 72, DISPOSITION OF FINES FOR REGISTRATION, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

1. Page 1, Lines 13 through 16
 Senate 2nd Reading Amendments
 1-27-2004
 - 13 ▶ § UNTIL JULY 1, 2007. § requires district courts and justice courts to allocate 50% of the
 - 13a fine collected for a
 - 14 violation of the registration of vehicles after establishing residency provision to the
 - 15 state or local governmental entity which issued the citation to be used for law enforcement purposes and to allocate the
 - 16 remaining 50% of the fine as currently required.
2. Page 2, Lines 49 through 50
 Senate 2nd Reading Amendments
 1-27-2004:

49 (a) 50% to the state or local governmental entity which issued the citation for a

50 violation to be used for law enforcement purposes ; and

3. Page 3, Lines 80 through 81
Senate 2nd Reading Amendments
1-27-2004:

80 (a) 50% to the state or local governmental entity which issued the citation for a

81 violation to be used for law enforcement purposes ; and

Representative Ferry’s motion to amend passed on a voice vote.

S.B. 72, as amended, then passed on the following roll call:

Yeas, 66; Nays, 4; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|----------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Buffmire | Bush |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|----------|------|
| Alexander | Bryson | Dunnigan | King |
|-----------|--------|----------|------|

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|---------|------|
| S. Allen | Bourdeaux | Buttars | Love |
| M. Stephens | | | |

S.B. 72, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Seitz, the House voted to uncircle **S.B. 114**.

S.B. 114, AMENDMENTS TO PRESCRIBING, PREPARATION, AND DISPENSING OF PRESCRIPTION DRUGS, was before the House on its final passage.

Representative Seitz proposed the following amendment:

1. Page 56, Lines 1721 through 1723a
Senate 3rd Reading Amendments
2-24-2004

1721 (1) Any third party payor for pharmaceutical services within the state § , OR ITS AGENT OR

1721a CONTRACTOR § may not require

1722 any pharmacy patient to obtain prescription § [~~drugs~~] DRUG – BENEFITS § from a specific

1722a out-of-state [[~~or a Utah~~]]

1723 pharmacy as a condition of obtaining third party payment § PRESCRIPTION DRUG BENEFIT

1723a COVERAGE § as defined in rule.

Representative Seitz' motion to amend passed on a voice vote.

S.B. 114, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |

| | | | |
|----------|----------|--------------|-----------|
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|--------|------------|------|-------------|
| Bowman | B. Johnson | Love | M. Stephens |
|--------|------------|------|-------------|

S.B. 114, as amended, returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 28, 2004

The Senate refuses to concur with the House Amendments to **S.B. 248**, TRANSPORTATION GENERAL OBLIGATION BOND, by Senator D. Eastman, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Bush, the House voted to recede from its amendments to **S.B. 248**.

S.B. 248 then passed on the following roll call:

Yeas, 41; Nays, 33; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-------------|----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | Curtis | Dee | Dillree |
| Ferrin | Ferry | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Holdaway |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Mascaro | Morgan |
| Newbold | Noel | Pace | Seitz |
| Shurtliff | G. Snow | Ure | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|-------------|
| Alexander | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bryson | Christensen |
| D. Cox | Daniels | Dayton | Donnelson |
| Dougall | Duckworth | Dunnigan | Frank |
| Hardy | Hogue | Hughes | Jones |
| Litvack | Lockhart | McCartney | McGee |
| Morley | Moss | Murray | Peterson |
| Philpot | Styler | Thompson | Urquhart |
| M. Stephens | | | |

Absent or not voting was: Representative
Love

S.B. 248 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

Sub. S.B. 199, OUTSOURCING STATE JOBS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 1, Line 20:
Delete "\$200,000" and insert "40,000"
2. Page 5, Line 149:
Delete "\$200,000" and insert "\$40,000"

Representative Bigelow's motion to amend passed on a voice vote.

Sub. S.B. 199, as amended, then passed on the following roll call:

Yeas, 63; Nays, 7; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |

| | | | |
|----------|--------------|-------------|-----------|
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------|----------|-------|
| Alexander | Bryson | Dougall | Frank |
| Harper | Morley | Thompson | |

Absent or not voting were: Representatives

| | | | |
|-------------|------|---------|-----------|
| Hogue | Love | Philpot | Shurtliff |
| M. Stephens | | | |

Sub. S.B. 199, as amended, returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate passed, as substituted, **1st Sub. S.B. 190**, SALES AND USE TAX EXEMPTION RELATING TO FILM, TELEVISION, AND VIDEO, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 190**, read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Dillree, under suspension of the rules, the House voted to lift **Sub. S.B. 190** and **Sub. S.B. 51** from the Rules Committee, consider them read for the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

Sub. S.B. 190, SALES AND USE TAX EXEMPTION RELATING TO FILM, TELEVISION, AND VIDEO, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **Sub. S.B. 190**.

* * *

Sub. S.B. 51, EDUCATION TECHNOLOGY SUPPORT FOR TESTING INITIATIVE, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

- 1. Page 2, Line 26:
Delete "\$10,000,000" and insert "\$5,000,000"
- 2. Page 3, Line 79:
Delete "\$10,000,000" and insert "\$5,000,000"

Representative Bigelow's motion to amend passed on a voice vote.

Sub. S.B. 51, as amended, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|------|--------|---------|
| Lockhart | Love | Morley | Philpot |
|----------|------|--------|---------|

Sub. S.B. 51, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 6:10 p.m.

Speaker Stephens called the House to order at 6:30 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate substituted and passed, **Senate 1st Sub. H.B. 152**, CHARTER SCHOOL GOVERNANCE, by Representative M. Dillree, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 2nd Sub. H.B. 36**, MANAGEMENT, ENHANCEMENT, AND FUNDING OF 911 SYSTEM, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 168**, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX TASK FORCE, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, by Representative R. Lockhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 152, 2nd Sub. H.B. 36, H.B. 168, and H.B. 28**, placed on the calendar for concurrence.

CONCURRENCE CALENDAR

On motion of Representative Dillree, the House voted to concur in the Senate amendments to **Sub. H.B. 152**, CHARTER SCHOOL GOVERNANCE.

Sub. H.B. 152, as amended by the Senate, then passed on the following roll call:

Yeas, 55; Nays, 17; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |

| | | | |
|----------|--------------|-------------|------------|
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Ferrin | Ferry | Frank | Goodfellow |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lawrence | Lockhart | Mascaro |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Duckworth | Gowans | Hansen |
| Hendrickson | Jones | King | Litvack |
| McCartney | McGee | Morgan | Moss |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | |
|----------|------|-------|
| Dunnigan | Love | Seitz |
|----------|------|-------|

Sub. H.B. 152, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Dee, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 36**, MANAGEMENT, ENHANCEMENT, AND FUNDING OF 911 SYSTEM.

2nd Sub. H.B. 36, as amended by the Senate, then passed on the following roll call:

Yeas, 42; Nays, 30; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|---------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | S. Clark |
| D. Cox | Daniels | Dee | Dillree |

| | | | |
|--------------|------------|-----------|----------|
| Ferry | Goodfellow | Hardy | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Noel |
| Pace | Peterson | Shurtliff | Ure |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|--------|-------------|
| Bennion | Bigelow | Bird | Christensen |
| D. Clark | Curtis | Dayton | Donnelson |
| Dougall | Duckworth | Ferrin | Frank |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Hughes | Kiser | Last |
| Lawrence | Lockhart | Morley | Newbold |
| Philpot | G. Snow | Styler | Thompson |
| Urquhart | M. Stephens | | |

Absent or not voting were: Representatives

| | | |
|----------|------|-------|
| Dunnigan | Love | Seitz |
|----------|------|-------|

2nd Sub. H.B. 36, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to concur in the Senate amendments to **H.B. 168**, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX TASK FORCE.

H.B. 168, as amended by the Senate, then passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |

Communication filed. **Sub. S.B. 230**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **Sub. S.B. 230** read the second time by short title and placed on the calendar for third reading.

On motion of Representative Curtis, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

Sub. H.B. 321, MOTOR VEHICLE REGISTRATION REVISIONS, read the third time by short title and placed on its final passage.

Representative Bennion proposed the following amendment:

1. Page 1, Line 23

23 pay for license plate reissues; ~~[[and]]~~

▶ allows a court to dismiss certain violations for operating a vehicle without proper registration under certain circumstances; and

2. Page 7, Line 190:

190 (ii) the violation has not existed for more than one year.

(c) A court may dismiss an action brought for a violation of this section upon sufficient proof that the citation was issued while the defendant was in direct route:

(i) to obtain an emissions or safety inspection or repair to the vehicle necessary to be in compliance with this section; or

(ii) to otherwise be in compliance with this section.

Representative Bennion's motion to amend passed on a voice vote.

* * *

Representative Harper proposed the following amendment:

1. Page 3, Line 62:

Delete "(i)" and "or"

2. Page 3, Line 63:

Delete "(ii) statehood centennial license plates:"

Representative Harper's motion to amend passed on a voice vote.

Sub. H.B. 321, as amended, then failed to pass on the following roll call:

Yeas, 23; Nays, 48; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|------------|-----------|
| Adams | Bennion | Biskupski | Bowman |
| Curtis | Dayton | Dee | Duckworth |
| Ferry | Goodfellow | Gowans | Harper |
| Hendrickson | Hogue | B. Johnson | King |
| Noel | Peterson | G. Snow | Styler |
| Thompson | Ure | Urquhart | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------------|-------------|-------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Frank | Hansen | Hardy | Holdaway |
| Hughes | E. Hutchings | Jones | Kiser |
| Last | Lawrence | Litvack | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Philpot |
| Shurtliff | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|------|-----------|-------|
| Lockhart | Love | McCartney | Seitz |
|----------|------|-----------|-------|

Sub. H.B. 321, as amended, was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

Sub. S.B. 230, PERFORMANCE PLUS – READING ACHIEVEMENT, read the third time by short title and placed on its final passage.

Representative Curtis proposed the following amendment:

1. Page 3, Lines 60–61:
Delete lines 60 through 61.
2. Page 4, Lines 98–99:
Delete lines 98 through 99.
3. Page 3, Line 64:
Delete “that levy the maximum levy authorized” and after “districts” insert “on a total WPU count proportionately to the levy that is assessed” and after “53A-17a-151” delete “so that” and insert a period.
4. Page 3, Lines 65–68:
Delete lines 65 through 68.

The motion was divided. Items 1 and 2 passed on a voice vote. Items 3 and 4 passed on the following roll call:

Yeas, 41; Nays, 31; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|---------|-------------|
| Alexander | Anderson | Bennion | Bowman |
| Bryson | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Donnelson | Dougall | Ferrin | Ferry |
| Frank | Harper | Hogue | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lockhart | Mascaro | Morgan |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | G. Snow |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Aagard | Adams | S. Allen | Barrus |
| Becker | Bigelow | Bird | Biskupski |
| Bourdeaux | Buxton | Daniels | Dayton |
| Dee | Dillree | Duckworth | Dunnigan |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Holdaway | King | Lawrence |
| Litvack | McCartney | McGee | Moss |
| Shurtliff | Styler | Ure | |

Absent or not voting were: Representatives
 Buffmire Love Seitz

###

Representative Cox proposed the following amendment:

1. Page 2, Line 55:
 After “development” insert “that includes training in systemic explicit phonics”

Representative Bigelow proposed the following substitute motion to amend:

1. Page 3, Line 71:
 After “programs” insert “but may be used to augment existing programs”

Representative Bigelow’s substitute motion to amend passed on a voice vote.

###

Representative Cox proposed the following amendment:

1. Page 2, Line 55:
 After “development” insert “that includes training in systemic explicit phonics”

Representative Alexander proposed the following substitute motion to amend:

1. Page 2, Line 55:
 After “development” insert “that includes training in systemic explicit phonics”
2. Page 3, Lines 60–61:
 Reinstate lines 60 and 61
3. Page 3, Line 60:
 Delete “Plans” insert “Measurable goals”

The motion was divided. Item 8 failed on a voice vote. Items 9 and 10 failed on a voice vote.

Sub. S.B. 230, as amended, then passed on the following roll call:

Yeas, 55; Nays, 17; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Dougall | Duckworth | Ferrin |
| Ferry | Goodfellow | Gowans | Hardy |
| Harper | Hendrickson | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | G. Snow | Styler | Ure |
| Urquhart | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|-----------|-------------|
| Bennion | Bryson | Bush | Christensen |
| Dayton | Donnelson | Dunnigan | Frank |
| Hansen | Hogue | Hughes | Lockhart |
| Morley | Philpot | Shurtliff | Thompson |
| Wallace | | | |

Absent or not voting were: Representatives

| | | |
|----------|------|-------|
| Buffmire | Love | Seitz |
|----------|------|-------|

Sub. S.B. 230, as amended, returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 27, 2004

The Senate passed, as substituted, **4th Sub. S.B. 191**, OIL AND GAS RELATED TAXES AND FEES, by Senator B. Evans, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **4th Sub. S.B. 191**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **4th Sub. S.B. 191** read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

4th Sub. S.B. 191, OIL AND GAS RELATED TAXES AND FEES, read the third time by short title and placed on its final passage.

4th Sub. S.B. 191 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|------|-------|
| Buffmire | Curtis | Love | Seitz |
|----------|--------|------|-------|

4th Sub. S.B. 191 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until March 1, 2004, at 8:00 a.m.

FORTY–THIRD DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Massoud Ul Hasan, past President, Islamic Society of Salt Lake and a microbiologist at LDS Hospital. He is a guest of Representative Judy Ann Buffmire.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2004

The Senate refuses to recede from its amendments to **H.B. 88**, STATE LAND USE MANAGEMENT PLANS, by Representative B. Johnson, and has appointed a Conference Committee consisting of Senators Hatch, B. Evans, and Davis to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Johnson, the House voted to authorize the Speaker to appoint a Conference Committee on **H.B. 88** to meet with a like committee from the Senate. The Speaker appointed a Conference Committee consisting of Representatives Johnson, Noel, and Gowans.

* * *

Mr. Speaker: February 27, 2004

The Senate refuses to recede from its amendments to **H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, by Representative R. Lockhart, and has appointed a Conference Committee consisting of Senators Walker, Killpack, and Hale to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Lockhart, the House voted to authorize the Speaker to appoint a Conference Committee on **H.B. 28** to meet with a like committee from the Senate. The Speaker appointed a Conference Committee consisting of Representatives Lockhart, Dougall, and Hansen.

* * *

Mr. Speaker: February 27, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators Waddoups, Bell, and Mayne to meet with a like committee from the House of Representatives to consider or amend **S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

* * *

Mr. Speaker: February 27, 2004

The Senate passed, as amended, **S.B. 234**, STATE FAIR PARK LEASING AGREEMENTS, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 53**, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, by Senator WADDOUPS, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 167**, VICTIM RESTITUTION AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 178**, MORTGAGE BROKER AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 29**, ACCESS TO RURAL HEALTH CARE PROVIDERS, by Senator L. Blackham, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 213**, MOTOR VEHICLES – CLEAN AIR DISCOUNTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 176**, FINANCIAL INSTITUTIONS AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 158**, CRIMINAL OFFENSE AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 159**, ANNEXATION OF PUBLIC LAND TO SPECIAL AND LOCAL DISTRICTS, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed **S.C.R. 6**, UTAH ATHLETIC FOUNDATION RESOLUTION, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 174**, ADOPTION OF UNIFORM JUVENILE COMPACT, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed **S.B. 229**, TASK FORCE STUDY OF WILDFIRES IN UTAH, by Senator B. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 234, 1st Sub. S.B. 53, S.B. 167, Sub. S.B. 178, Sub. S.B. 29, S.B. 213, Sub. S.B. 176, S.B. 158, S.B. 159, S.C.R. 6, S.B. 174, and S.B. 229**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 27, 2004

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 245**, INSURANCE LAW REVISIONS, by Representative J. Ferrin, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 226**, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS, by Representative D. Ure, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 218**, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION, by Representative C. Bennion, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Senate Sub. H.B. 245, Sub. H.B. 226, and H.B. 218**, placed on the calendar for concurrence.

* * *

Mr. Speaker: February 27, 2004

The Senate concurred in the House amendments and passed **S.B. 161**, JUDICIAL CONDUCT COMMISSION, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 161** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 27, 2004

The President of the Senate has signed **2nd Sub. H.B. 2**, GENERAL OBLIGATION BONDS AUTHORIZATIONS, by Representative L. Pace, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 13**, HAZARDOUS WASTE AND NONHAZARDOUS SOLID WASTE FEE AND TAX AMENDMENTS, by Representative E. Anderson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 60**, PROTECTION OF CHILDREN IN FOSTER CARE, by Representative D. Litvack, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 74**, EXTENSION OF SALES AND USE TAX EXEMPTION FOR STEEL INDUSTRY, by Representative B. Ferry, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 92**, BRUCELLOSIS VACCINATION AMENDMENTS, by Representative B. Johnson, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 93**, DNA REIMBURSEMENT COSTS, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 97**, PROTECTIVE ORDER AMENDMENTS, by Representative K. Holdaway, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 169**, MAIL THEFT AMENDMENTS, by Representative M. Thompson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 171**, INSURANCE FRAUD AMENDMENTS, by Representative J. Ferrin, and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 207**, HEALTH INSURANCE AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 229**, PUBLIC UTILITY EASEMENTS, by Representative R. C. Webb, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 247**, TASK FORCE STUDYING WATER ISSUES, by Representative M. Styler, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 255**, WILDLIFE RESTITUTION AMENDMENTS, by Representative R. Barrus, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 260**, TOBACCO FUND ALLOCATION AMENDMENTS, by Representative J. Seitz, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 283**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate receded from its amendments and passed **H.B. 328**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, by Representative L. Pace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 9**, RESOLUTION SUPPORTING EFFORTS TO END HOMELESSNESS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 2, H.B. 13, H.B. 60, H.B. 74, 2nd Sub. H.B. 92, H.B. 93, H.B. 97, H.B. 169, H.B. 171, 2nd Sub. H.B. 207,**

H.B. 229, H.B. 247, H.B. 255, H.B. 260, Sub. H.B. 283, H.B. 328, and H.J.R. 9 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONSENT CALENDAR

H.C.R. 15, RESOLUTION RECOGNIZING MILITARY APPRECIATION WEEK, read the third time by short title and placed on its final passage.

H.C.R. 15 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-------------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|----------|-----------|-----------|
| S. Allen | Bourdeaux | Shurtliff |
|----------|-----------|-----------|

H.C.R. 15 transmitted to the Senate for its consideration.

* * *

S.B. 182, ASSISTANT ADJUTANT GENERAL QUALIFICATIONS, read the third time by short title and placed on its final passage.

S.B. 182 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Absent or not voting were: Representatives

Bourdeaux Shurtliff

S.B. 182 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 335, PENALTY FOR USING FAKE IDENTIFICATION, read the third time by short title and placed on its final passage.

H.B. 335 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |

| | | | |
|-------------|-------------|--------------|------------|
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

Bourdeaux Shurtliff

H.B. 335 transmitted to the Senate for its consideration.

* * *

S.B. 146, OLYMPIC LAW REVISIONS AND CLEANUP, read the third time by short title and placed on its final passage.

S.B. 146 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |

| | | | |
|----------|-----------|----------|----------|
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

M. Stephens

Absent or not voting were: Representatives

Bourdeaux Shurtliff

S.B. 146 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 187, WATER CONSERVANCY DISTRICTS TRUSTEES, read the third time by short title and placed on its final passage.

S.B. 187 then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |

| | | | |
|-------------|----------|---------|----------|
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|-----------|-----------|
| Bourdeaux | Shurtliff |
|-----------|-----------|

S.B. 187 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 184, INTERLOCAL COOPERATION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 184 then passed on the following roll call:

Yeas, 70; Nays, 2; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | |
|---------|-------|
| Dougall | Kiser |
|---------|-------|

Absent or not voting were: Representatives

| | | |
|-----------|---------|--------|
| Bourdeaux | Buttars | Styler |
|-----------|---------|--------|

S.B. 184 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Bennion, the House voted to concur in the Senate amendments to **H.B. 94**, HEALTH INSURANCE POOL.

H.B. 94, as amended by the Senate, then passed on the following roll call:

Yeas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | |
|-----------|-----------|
| Bourdeaux | Shurtliff |
|-----------|-----------|

H.B. 94, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative King, the House voted to concur in the Senate amendments to **Sub. H.B. 164**, RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS.

Sub. H.B. 164, as amended by the Senate, then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative
Styler

Sub. H.B. 164, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

S.B. 154, SCHOOL BUILDING LEGISLATIVE TASK FORCE, read the third time by short title and placed on its final passage.

S.B. 154 then passed on the following roll call:

Yeas, 41; Nays, 32; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|-----------|--------|
| Aagard | Adams | Alexander | Barrus |
| Becker | Bennion | Bowman | Bryson |

| | | | |
|-------------|----------|--------------|-------------|
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dillree | Donnelson | Duckworth |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hughes | E. Hutchings | Kiser |
| Last | Lockhart | Love | Morley |
| Newbold | Noel | Pace | G. Snow |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-------------|------------|
| S. Allen | Anderson | Bigelow | Bird |
| Biskupski | Bourdeaux | Buffmire | Daniels |
| Dee | Dougall | Dunnigan | Goodfellow |
| Gowans | Hansen | Hendrickson | Hogue |
| Holdaway | B. Johnson | Jones | King |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Moss | Murray | Peterson |
| Seitz | Shurtliff | Styler | Thompson |

Absent or not voting were: Representatives

| | |
|--------|---------|
| Morgan | Philpot |
|--------|---------|

S.B. 154 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 40, CESAR CHAVEZ SCHOLARSHIP PROGRAM, read the third time by short title and placed on its final passage.

S.B. 40 then passed on the following roll call:

Yeas, 67; Nays, 5; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |

| | | | |
|--------------|------------|-------------|------------|
| Dayton | Dee | Dillree | Dougall |
| Duckworth | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|------|----------|
| Donnelson | Dunnigan | Pace | Peterson |
| Thompson | | | |

Absent or not voting were: Representatives

| | | |
|-------|----------|---------|
| Frank | Lawrence | Philpot |
|-------|----------|---------|

S.B. 40 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.C.R. 4, RESOLUTION RECOGNIZING 50TH ANNIVERSARY OF LANDMARK CASE OF BROWN V. BOARD OF EDUCATION, read the third time by short title and placed on its final passage.

S.C.R. 4 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferry |
| Frank | Goodfellow | Gowans | Hansen |

| | | | |
|-----------|-----------|--------------|-------------|
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|--------|---------|-----|
| Ferrin | Philpot | Ure |
|--------|---------|-----|

S.C.R. 4 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 58, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Line 14

14 ▶ addresses the appointment ~~[[and compensation and benefits for]]~~ of the director;

2. Page 4, Line 115:

115 ~~[[67-22-2, as last amended by Chapter 16, Laws of Utah 2003]]~~

3. Pages 130-133, Lines 4007-4113:

Delete lines 4007 through 4113

Re-number remaining sections accordingly

Representative Urquhart's motion to amend passed on a voice vote.

#

Representative McCartney proposed the following amendment:

1. Page 72, Line 2227:

Delete the new language and reinstate the deleted language.

2. Page 72, Line 2228:
Reinstate the deleted language.
3. Page 73, Line 2229 and 2230:
Reinstate the deleted language.
4. Page 73, Line 2233–2235:
Delete lines 2233 through 2235 and renumber accordingly.

Representative McCartney’s motion to amend failed on the following roll call:

Yeas, 23; Nays, 43; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-----------|-----------|-------------|
| Anderson | Becker | Bennion | Biskupski |
| Bourdeaux | Buffmire | Daniels | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| E. Hutchings | Jones | King | Litvack |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Noel | Shurtliff | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Bigelow | Bird | Bowman | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Dayton | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Hogue |
| Holdaway | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|--------|--------|----------|--------|
| Barrus | Bryson | S. Clark | Dee |
| Harper | Hughes | Love | Morley |
| Styler | | | |

###

Representative Biskupski proposed the following amendment:

- 1. Page 62, Line 1891:
Delete line 1891 and renumber accordingly.

Representative Biskupski’s motion to amend failed on a voice vote.

S.B. 58, as amended, then passed on the following roll call:

Yeas, 57; Nays, 14; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morgan | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-----------|---------|
| Biskupski | Bourdeaux | Buffmire | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| Hendrickson | Litvack | McCartney | McGee |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | | | |
|--------|----------|--------|--------|
| Barrus | S. Clark | Curtis | Morley |
|--------|----------|--------|--------|

S.B. 58, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Duckworth, the House voted to recall **H.B. 79** from the Office of Legislative Research and General Counsel.

* * *

On motion of Representative Alexander, the House voted to recess until 10:30 a.m.

Speaker Stephens called the House to order at 10:40 a.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 230, PERFORMANCE PLUS – READING ACHIEVEMENT**, by Senator J. Evans, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Allen, the House voted to refuse to recede from its amendments to **Sub. S.B. 230** and authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Allen, Styler, and Gowans.

* * *

Mr. Speaker: March 1, 2004

The Senate passed **S.B. 206, PROPERTY TAX AMENDMENTS**, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 172, EDUCATION ARTICULATION LEGISLATIVE TASK FORCE**, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 201, PUNITIVE DAMAGES AMENDMENTS**, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 224, HOMELESS COORDINATING COMMITTEE**, by Senator K. Hale, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 163, PROPERTY TAX – CONFIDENTIALITY OF CERTAIN INFORMATION**, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 169, SALES AND USE TAX AGRICULTURAL EXEMPTIONS**, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 196, COURT FEE ADJUSTMENTS**, by Senator D. Gladwell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 202**, UNEMPLOYMENT INSURANCE AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 206, S.B. 172, S.B. 201, S.B. 224, Sub. S.B. 163, S.B. 169, Sub. S.B. 196, and Sub. S.B. 202**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: March 1, 2004

The Senate concurred in the House amendments and passed **S.B. 114**, AMENDMENTS TO PRESCRIBING, PREPARATION, AND DISPENSING OF PRESCRIPTION DRUGS, by Senator P. Knudson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 135**, CENTER FOR MULTICULTURAL HEALTH, by Senator J. Evans, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 72**, DISPOSITION OF FINES FOR REGISTRATION VIOLATIONS, by Senator J. Hickman, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.J.R. 6**, RESOLUTION ON IMPEACHMENT AUTHORITY, by Senator J. Valentine, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 51**, EDUCATION TECHNOLOGY SUPPORT FOR TESTING INITIATIVE, by Senator L. Blackham, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 199**, OUTSOURCING STATE JOBS, by Senator L. Blackham, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 114, S.B. 135, S.B. 72, S.J.R. 6, Sub. S.B. 51, and Sub. S.B. 199** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 1, 2004

The President of the Senate has signed **2nd Sub. H.B. 36**, MANAGEMENT, ENHANCEMENT, AND FUNDING OF 911 SYSTEM, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 152**, CHARTER SCHOOL GOVERNANCE, by Representative M. Dillree, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 168**, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX TASK FORCE, by Representative W. Harper, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 36**, **Sub. H.B. 152**, and **H.B. 168** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

THIRD READING CALENDAR

Sub. S.B. 47, UNIFORM TRUST CODE, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **Sub. S.B. 47**.

* * *

2nd Sub. S.B. 106, DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 106, as amended, then failed to pass on the following roll call:

Yeas, 21; Nays, 47; Absent or not voting, 7.

Voting in the affirmative were: Representatives

- | | | | |
|--------|---------|---------|-------------|
| Aagard | Adams | Bennion | Bowman |
| Bush | Buttars | Buxton | Christensen |
| D. Cox | Dee | Hughes | Jones |
| King | Kiser | Last | Lockhart |
| Love | Noel | Seitz | G. Snow |
| Styler | | | |

Voting in the negative were: Representatives

| | | | |
|--------------|------------|-------------|-----------|
| Alexander | S. Allen | Anderson | Barrus |
| Becker | Bigelow | Bird | Biskupski |
| Bryson | Buffmire | D. Clark | S. Clark |
| Curtis | Daniels | Dayton | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| E. Hutchings | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Philpot | Shurtliff | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|---------|-----------|-------------|
| Bourdeaux | Dillree | Duckworth | Hendrickson |
| B. Johnson | Morgan | Ure | |

2nd Sub. S.B. 106, as amended, returned to the Senate for filing.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 1** from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading calendar.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **S.B. 91**.

S.B. 91, EMERGENCY MEDICAL PROVIDER AMENDMENTS, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 5, Line 133
House Committee Amendments
2-13-2004

133 under Subsection (3)(a)(i) may be the political subdivision issuing the request for proposal. or any other public entity or entities, any private person

Representative Lockhart's motion to amend passed on a voice vote.

S.B. 91, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hogue | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|----------|---------|-----------|-------------|
| D. Cox | Dillree | Harper | Hendrickson |
| Holdaway | Philpot | Shurtliff | |

S.B. 91, as amended, returned to the Senate for further consideration.

INTENT LANGUAGE FOR S.B. 91

On motion of Representative Lockhart, the House voted to insert the following intent language into the House Journal.

“It is the intent of the Legislature in passing S.B. 91 to clarify language in the Utah Emergency Medical Services Systems Act with regard to a political subdivision’s selection of emergency paramedic or ambulance providers under an RFP process. The Legislature intends that the following principles should apply to the selection of emergency paramedic or ambulance providers under an RFP process:

1. a political subdivision may issue an RFP for emergency ambulance and paramedic service through a process that was created in 2003 S.B. 180;

2. a political subdivision may, if they have a qualified applicant as defined in statute and as certified by the Department of Health, respond to their own RFP; and

3. the RFP process, including the structure of the RFP and the entire issuing and selection process must be fair, unbiased, and open, in order to protect the interest of the population that will be served by the emergency ambulance or paramedic provider. The issue of a fair , unbiased and open process is especially critical when a political subdivision is responding to its own RFP. It is therefore the intent of the Legislature that the Department of Health diligently enforce its oversight of this process, and that the political subdivisions using the RFP process utilize a fair, unbiased and open process.”

THIRD READING CALENDAR

Sub. S.B. 128, LONG-TERM CARE FACILITIES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **Sub. S.B. 128**.

* * *

Sub. S.B. 185, PUBLIC EDUCATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Cox proposed the following amendment:

- 1. Page 6, Lines 161 through 162

161 [(e)] (v) a teacher development program focused on achieving progress in core

162 academics, including instruction in explicit, systematic, and intensive phonics for teachers in grades kindergarten through 3 [-];

Representative Cox’s motion to amend passed on a voice vote.

#

Representative Morgan proposed the following amendment:

- 1. Page 2, Lines 46 through 53

46 (b) By May 1 of the year in which a State Board of Education member’s term expires,

47 the lieutenant governor shall submit the name of each person who has filed a declaration of

48 candidacy for the State Board of Education to the nominating and recruiting committee for the

49 State Board of Education district in which the candidate resides .

50 (2) [(a)] By November 1 of [~~2003 and every four years thereafter~~] the year preceding

51[[each regular general election year]] the year in which a State Board of Education member's term expires , a nominating and recruiting committee consisting of [~~11~~] [~~12~~] eight

52 members, each to serve a [~~four-year~~] two-year term, shall be appointed by the governor as

53 follows for the district that member represents :

2. Page 3, Lines 74 through 75:

74 (a) [~~one member~~] four members shall be appointed to represent [~~each of~~] the following business and

75 industry sectors:

3. Page 3, Lines 82 through 83:

82 (b) [~~one member~~] four members shall be appointed to represent [~~each of~~] the following education

83 sectors:

4. Page 4, Lines 90 through 92:

90 (3) (a) The members appointed under Subsections (2)(a)(i) through (vi) and (2)(b)(i)

91 through (vi) shall be appointed from lists containing at least two names submitted by

92 organizations representing each of the respective sectors.

(b) The governor shall ensure that each member of the nominating and recruiting committee resides within the state board district.

5. Page 4, Line 101:

101 [~~(4)~~] (5) [~~The~~] Each nominating and recruiting committee shall:

6. Page 4, Lines 104 through 106:

104 (b) prepare a list of candidates for membership on the State Board of Education [~~for~~

105 ~~each state board district subject to election in that year~~] from its district using the qualifications under

106 Subsection [~~(5)~~] (6);

7. Page 4, Lines 110 through 112:

110 [~~(5)~~] (6) [~~The~~] Each nominating committee shall select a broad variety of candidates who

111 possess outstanding professional qualifications relating to the powers and duties of the State

112 Board of Education, including experience in the following areas:

Representative Morgan’s motion to amend passed on a voice vote.

On motion of Representative Bigelow, the House voted to circle **Sub. S.B. 185**.

* * *

S.B. 204, REDEVELOPMENT AGENCY CHANGES, read the third time by short title and placed on its final passage.

S.B. 204 then passed on the following roll call:

Yeas, 68; Nays, 2; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Donnelson | Duckworth | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |

| | | | |
|------------|----------|-----------|--------------|
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

Dayton Morley

Absent or not voting were: Representatives

Bourdeaux Dougall Dunnigan Morgan
Philpot

S.B. 204 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **1st Sub. S.B. 47**.

1st Sub. S.B. 47, UNIFORM TRUST CODE AMENDMENTS, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete **1st Sub. S.B. 47** in title and body and insert **2nd Sub. S.B. 47** in lieu thereof.

2nd Sub. S.B. 47, as amended, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Donnelson | Duckworth | Ferrin |

| | | | |
|----------|-------------|--------------|------------|
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|---------|-----------|
| Bourdeaux | Dayton | Dougall | Dunnigan |
| Gowans | Morgan | Philpot | Shurtliff |
| Ure | | | |

2nd Sub. S.B. 47 , as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, read the third time by short title and placed on its final passage.

H.B. 1 then passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |

| | | | |
|----------|-------------|--------------|------------|
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative
Dougall

H.B. 1 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Seitz, the House voted to uncircle **Sub. S.B. 128**.

Sub. S.B. 128, LONG-TERM CARE FACILITIES AMENDMENTS, was before the House on its final passage.

Representative Seitz proposed the following amendment:

1. Page 9, Line 250:
Delete "actual"
2. Page 9, Line 251:
Delete "1%" and insert "3%"

Representative Seitz' motion to amend passed on a voice vote.

Representative Hansen declared a conflict of interest because his daughter works at a long-term care center.

Sub. S.B. 128, as amended, then passed on the following roll call:

Yeas, 64; Nays, 8; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|--------|-----------|
| Alexander | Bigelow | Dayton | Donnelson |
| Dunnigan | Hughes | Morley | Philpot |

Absent or not voting were: Representatives

| | | |
|---------|---------|--------|
| Bennion | Dougall | Gowans |
|---------|---------|--------|

Sub. S.B. 128, as amended, returned to the Senate for further consideration.

INTENT LANGUAGE FOR SUB. S.B. 128

On motion of Representative Seitz, the House voted to insert the following intent language into the House Journal.

“The long term care facility assessment created by this 1st Substitute SB 128 is intended to increase the Medicaid reimbursement rate for long term care facilities. The Legislature does not intend to place an added financial burden on private pay patients at nursing homes. It is therefore the intent of the Legislature that the Department of Health repeal its rule and that part of the state plan that requires nursing homes to charge its private pay residents the same rate or more than the nursing home Medicaid reimbursement rate.”

RULES COMMITTEE REPORTS

Mr. Speaker:

February 1, 2004

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

1st Sub. H.B. 109 Legal Presence Provisions (Rep. M. Thompson); and

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- S.B. 240** Motion Picture Task Force (Sen. R. Allen)
S.B. 33 Mobile Home Park Residency Act (Sen. E. Mayne)
1st Sub. S.B. 29 Access to Rural Health Care Providers
 (Sen. L. Blackham)
1st Sub. S.B. 53 County and Municipal Zoning Regarding Billboards
 (Sen. M. Waddoups)
1st Sub. S.B. 55 Governmental Immunity Act of Utah (Sen. L. Blackham)
S.B. 62 Stay of Execution Amendments (Sen. D. Thomas)
S.B. 167 Victim Restitution Amendments (Sen. G. Bell)
1st Sub. S.B. 176 Financial Institutions Amendments (Sen. J. Valentine)
S.B. 223 Transportation Construction Amendments
 (Sen. D. Eastman)
S.B. 107 Advanced Practice Registered Nurse Modifications
 (Sen. P. Knudson)
1st Sub. S.B. 179 Expedited Appeals in Child Welfare Cases
 (Sen. L. Hillyard)
S.B. 5 Employment Security Modifications (Sen. S. Jenkins)
S.B. 155 County Mental Health Amendments (Sen. G. Davis)
2nd Sub. S.B. 175 Protection of Private Lawfully Obtained Property
 (Sen. D. C. Buttars)
1st Sub. S.B. 196 Court Fee Adjustments (Sen. D. Gladwell)

Marda Dillree, Chair

Reports filed. On motion of Representative Dillree, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

H.B. 115 transmitted to the Senate.

On motion of Representative Curtis, the House voted to recess until 1:30 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 1:40 p.m.

COMMUNICATIONS FROM THE SENATE

The Senate passed, **H.C.R. 3**, RESOLUTION URGING PROTECTION OF UNITED STATES FROM WEAPONS OF MASS DESTRUCTION, by

Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 94**, HEALTH INSURANCE POOL, by Representative C. Bennion, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 164**, RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS, by Representative B. King, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.C.R. 3**, **H.B. 94**, and **Sub. H.B. 164** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Christensen, the House voted to uncircle **3rd Sub. H.B. 140**.

3rd Sub. H.B. 140, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS, was before the House on its final passage.

Representative Christensen proposed the following amendment:

1. Page 1, Line 25 through Page 2, Line 29:

~~[[25 ▶ amends the evidentiary standard for the presumption of reunification services;~~

~~26 ▶ specifies that termination of parental rights proceedings are subject to Utah Rules of~~

~~27 Evidence;~~

~~28 ▶ amends the evidentiary standard in a proceeding to terminate a parent's rights to~~

~~29 beyond a reasonable doubt;-]]~~

2. Page 2, Lines 33 through 34:

33 ▶ prohibits an attorney guardian ad litem from making public statements ~~[[outside of~~

34 ~~the juvenile court]]~~ about a child abuse, neglect, or dependency case; and
3. Page 2, Line 50:

~~[[50 78 3a 406, as last amended by Chapter 332, Laws of Utah 2003]]~~
4. Page 11, Line 322:

322 custody: ~~[[and]]~~
5. Page 11, Line 329:

329 possible under the law; and
(viii) whether the evidentiary standard for the reunification services presumption and proceedings to terminate a parent's rights should be changed from clear and convincing to beyond a reasonable doubt.
6. Page 24, Lines 720 through 722:

720 ~~[(b)] (3) (a)~~ There is a presumption that reunification services should not be provided

721 to a parent if the court finds~~[[{]],~~ by clear and convincing~~[[{]]~~ evidence~~[[{]],{]]~~ ~~[[that establishes beyond a~~

722 reasonable doubt]] that any of the following circumstances exist:
7. Page 26, Line 790 through Page 27, Line 811:

~~[[790 Section 10. Section 78-3a-406 is amended to read:~~

791 ~~78 3a 406. Notice—Nature of proceedings.~~

792 ~~(1) After a petition for termination of parental rights has been filed, notice of that fact~~

793 ~~and of the time and place of the hearing shall be provided, in accordance with the Utah Rules~~

794 ~~of Civil Procedure, to the parents, the guardian, the person or agency having legal custody of~~

~~795 the child, and to any person acting in loco parentis to the child.~~

~~796 (2) (a) A hearing shall be held specifically on the question of termination of parental~~

~~797 rights no sooner than ten days after service of summons is complete. A verbatim record of the~~

~~798 proceedings shall be taken and the parties shall be advised of their right to counsel.~~

~~799 (b) The summons shall contain a statement to the effect that the rights of the parent or~~

~~800 parents are proposed to be permanently terminated in the proceedings. That statement may be~~

~~801 contained in the summons originally issued in the proceeding or in a separate summons~~

~~802 subsequently issued.~~

~~803 (3) (a) The proceedings are civil in nature and are governed by the Utah Rules of Civil~~

~~804 Procedure and the Utah Rules of Evidence.~~

~~805 (b) The court shall in all cases require the petitioner to establish the facts [by clear and~~

~~806 convincing evidence] beyond a reasonable doubt, and shall give full and careful consideration~~

~~807 to all of the evidence presented with regard to the constitutional rights and claims of the parent~~

~~808 and, if a parent is found, by reason of [his] the parent's conduct or condition, to be unfit or~~

~~809 incompetent based upon any of the grounds for termination described in this part, the court~~

~~810 shall then consider the welfare and best interest of the child of paramount importance in~~

~~811 determining whether termination of parental rights shall be ordered.]]~~

Renumber remaining sections of the bill accordingly.

8. Page 27, Line 829 through Page 28, Line 854:

829 (c) (i) The minor's parents or guardian have the right to [[refuse]]
object to the appointment of a

830 particular individual to act as an attorney guardian ad litem as
provided in this Subsection

831 (2)[(c)].

832 [[iv]] (ii) If a parent [[refuses]] objects to the appointment by the
court of a particular individual to act as an

833 attorney guardian ad litem on behalf of the minor, the court [[shall]]
may appoint another individual to

834 act as an attorney guardian ad litem , including a person [[as]]
requested by the parent or guardian.

~~[[835 (ii) The court may refuse the appointment of an individual~~
~~designated by the parent or~~

~~836 guardian:~~

~~837 (A) who does not meet the minimum qualifications and~~
~~requirements established in~~

~~838 Subsection 78-7-45(6)(a); or~~

~~839 (B) for good cause shown on the record.~~

~~840 (iii) If the court refuses to appoint an individual under Subsection~~
~~(2)(c)(ii), the court~~

~~841 may appoint another individual not previously refused by the~~
~~parent or guardian.]]~~

842 [[iv]] (iii) An individual appointed as an attorney guardian ad
litem under this Subsection (2):

(A) is not required to be employed by or under contract with the
Office

843 of the Guardian Ad Litem [[to be appointed as an attorney guardian
ad litem in an abuse, neglect,

844 or dependency case.

845 (d) Except as provided in Subsection (9)(b)(ii), if a parent or
guardian refuses the

846 appointment of a guardian ad litem employed by or under contract
with the Office of the

847 Guardian Ad Litem, the parent is responsible for all costs incurred from the appointment of a

848 private attorney guardian ad litem to represent the best interest of the minor.]] ; and

(B) shall meet the minimum qualifications and requirements established in Subsection 78-7-45(6)(a).

849 [[~~(e)~~-(i)]] (d)(i) At any time the minor's parents or guardian may:

[[850 (A) petition the court to release a particular attorney guardian ad litem from a case; and]]

851 [[~~(B)~~]] (A) petition the court for a report of the activities of the attorney guardian ad litem

852 relating to the minor ; and

(B) petition the court to release a particular attorney guardian ad litem from a case .

853 (ii) If a petition is made under Subsection (2)[~~(e)~~-(i)(B)] (d)(i)(B), the court shall order the

854 guardian ad litem to provide the information to the parents or guardian in a timely manner.

9. Page 30, Lines 896 through 901:

896 (5) An attorney guardian ad litem appointed under Subsection (2)[~~(a)~~] may not be the

897 attorney responsible for presenting the evidence alleging child abuse, neglect, or dependency.

898 (6) Upon appointment of an attorney guardian ad litem under Subsection (2)[~~(a)~~], the

899 court shall advise the attorney guardian ad litem of his duty:

900 (a) to represent the best interest of the minor in all proceedings; and

901 (b) to fulfill the duties set forth in Subsection (3).

10. Page 30, Line 919:

919 [[~~(6)~~] (9) (a) [[{}]]The[{}]] [~~Except as provided in Subsection (2)(c)(i), the~~] juvenile court is

11. Page 32, Lines 968 through 972:

968 (15) An attorney guardian ad litem may not make public statements, or grant interviews~~[[~~

969 ~~or otherwise communicate information]] that will be disclosed publicly outside of the juvenile~~

970 court, about a child abuse, neglect, or dependency case, even if the~~[[communication]] statement or interview does not~~

971 involve the disclosure of a record that is private, controlled, or protected under Title 63,

972 Chapter 2, Government Records Access and Management Act.

Representative Litvack proposed the following substitute motion to amend:

1. Page 1, Line 25 through Page 2, Line 29

~~[[25—►— amends the evidentiary standard for the presumption of reunification services;~~

~~26—►— specifies that termination of parental rights proceedings are subject to Utah Rules of~~

~~27— Evidence;~~

~~28—►— amends the evidentiary standard in a proceeding to terminate a parent's rights to~~

~~29— beyond a reasonable doubt;]]~~

2. Page 2, Lines 33 through 34:

33 ► prohibits an attorney guardian ad litem from making public statements ~~[[outside of~~

34 ~~the juvenile court]]~~ about a child abuse, neglect, or dependency case; and

3. Page 2, Line 50:

~~[[50-78-3a-406, as last amended by Chapter 332, Laws of Utah 2003]]~~

4. Page 11, Line 322:

322 custody: [[and]]

- 5. Page 11, Line 329:

329 possible under the law; and
(viii) whether the evidentiary standard for the reunification
services presumption and proceedings to terminate a parent's rights
should be changed from clear and convincing to beyond a reasonable
doubt.

- 6. Page 24, Lines 720 through 722:

720 ~~[(b)] (3) (a)~~ There is a presumption that reunification services
 should not be provided
 721 to a parent if the court finds~~[[f]],~~ by clear and convincing~~[[h]]~~
 evidence~~[[f]], [[h]]~~ ~~[[that establishes beyond a~~
 722 reasonable doubt]] that any of the following circumstances exist:

- 7. Page 26, Line 790 through Page 27, Line 811:

~~[[790 Section 10. Section 78-3a-406 is amended to read:~~
 791 ~~78-3a-406. Notice—Nature of proceedings.~~
 792 ~~(1) After a petition for termination of parental rights has been filed,~~
~~notice of that fact~~
 793 ~~and of the time and place of the hearing shall be provided, in~~
~~accordance with the Utah Rules~~
 794 ~~of Civil Procedure, to the parents, the guardian, the person or~~
~~agency having legal custody of~~
 795 ~~the child, and to any person acting in loco parentis to the child.~~
 796 ~~(2) (a) A hearing shall be held specifically on the question of~~
~~termination of parental~~
 797 ~~rights no sooner than ten days after service of summons is complete.~~
~~A verbatim record of the~~
 798 ~~proceedings shall be taken and the parties shall be advised of their~~
~~right to counsel.~~
 799 ~~(b) The summons shall contain a statement to the effect that the~~
~~rights of the parent or~~
 800 ~~parents are proposed to be permanently terminated in the~~
~~proceedings. That statement may be~~

801 ~~contained in the summons originally issued in the proceeding or in a separate summons~~

802 ~~subsequently issued.~~

803 ~~(3) (a) The proceedings are civil in nature and are governed by the Utah Rules of Civil~~

804 ~~Procedure and the Utah Rules of Evidence.~~

805 ~~(b) The court shall in all cases require the petitioner to establish the facts [by clear and~~

806 ~~convincing evidence] beyond a reasonable doubt, and shall give full and careful consideration~~

807 ~~to all of the evidence presented with regard to the constitutional rights and claims of the parent~~

808 ~~and, if a parent is found, by reason of [his] the parent's conduct or condition, to be unfit or~~

809 ~~incompetent based upon any of the grounds for termination described in this part, the court~~

810 ~~shall then consider the welfare and best interest of the child of paramount importance in~~

811 ~~determining whether termination of parental rights shall be ordered.]]~~

Renumber remaining sections of the bill accordingly.

8. Page 27, Line 829 through Page 28, Line 854:

829 ~~(c) (i) The minor's parents or guardian have the right to [[refuse]] object to the appointment of a~~

830 ~~particular individual to act as an attorney guardian ad litem as provided in this Subsection~~

831 ~~(2)[[(e)]].~~

832 ~~[[(+)] (ii) If a parent [[refuses]] objects to the appointment by the court of a particular individual to act as an~~

833 ~~attorney guardian ad litem on behalf of the minor, the court [[shall]] may appoint another individual to~~

834 ~~act as an attorney guardian ad litem.~~

~~[[835 (ii) The court may refuse the appointment of an individual designated by the parent or~~

~~836 guardian:~~

~~837 (A) who does not meet the minimum qualifications and requirements established in~~

~~838 Subsection 78-7-45(6)(a); or~~

~~839 (B) for good cause shown on the record.~~

~~840 (iii) If the court refuses to appoint an individual under Subsection (2)(c)(ii), the court~~

~~841 may appoint another individual not previously refused by the parent or guardian.]]~~

~~842 [[~~(iv)~~] (iii) An individual appointed as an attorney guardian ad litem under this Subsection (2):~~

~~(A) is not required to be employed by or under contract with the Office~~

~~843 of the Guardian Ad Litem ~~[[to be appointed as an attorney guardian ad litem in an abuse, neglect,~~~~

~~844 or dependency case.~~

~~845 (d) Except as provided in Subsection (9)(b)(ii), if a parent or guardian refuses the~~

~~846 appointment of a guardian ad litem employed by or under contract with the Office of the~~

~~847 Guardian Ad Litem, the parent is responsible for all costs incurred from the appointment of a~~

~~848 private attorney guardian ad litem to represent the best interest of the minor.]] ; and~~

~~(B) shall meet the minimum qualifications and requirements established in Subsection 78-7-45(6)(a).~~

~~849 [[~~(e)~~-(i)] (d)(i) At any time the minor's parents or guardian may:~~

~~[[850 (A) petition the court to release a particular attorney guardian ad litem from a case; and]]~~

~~851 [[~~(B)~~] (A) petition the court for a report of the activities of the attorney guardian ad litem~~

~~852 relating to the minor ; and~~

~~(B) petition the court to release a particular attorney guardian ad litem from a case .~~

853 (ii) If a petition is made under Subsection (2)~~[(e)(i)(B)] (d)(i)(B)~~, the court shall order the

854 guardian ad litem to provide the information to the parents or guardian in a timely manner.

9. Page 30, Lines 896 through 901:

896 (5) An attorney guardian ad litem appointed under Subsection (2)~~[(a)]~~ may not be the

897 attorney responsible for presenting the evidence alleging child abuse, neglect, or dependency.

898 (6) Upon appointment of an attorney guardian ad litem under Subsection (2)~~[(a)]~~, the

899 court shall advise the attorney guardian ad litem of his duty:

900 (a) to represent the best interest of the minor in all proceedings; and

901 (b) to fulfill the duties set forth in Subsection (3).

10. Page 30, Line 919:

919 ~~[(6)] (9) (a) [[{}}The[{}]]~~ ~~[[Except as provided in Subsection (2)(c)(i), the]]~~ juvenile court is

11. Page 32, Lines 968 through 972:

968 (15) An attorney guardian ad litem may not make public statements, or grant interviews~~[[~~

969 ~~or otherwise communicate information]]~~ that will be disclosed publicly outside of the juvenile

970 court ~~],~~ about a child abuse, neglect, or dependency case, even if the ~~[[communication]]~~ statement or interview does not

971 involve the disclosure of a record that is private, controlled, or protected under Title 63.

972 Chapter 2, Government Records Access and Management Act.

Representative Litvack's substitute motion to amend failed on the following roll call:

Yeas, 30; Nays, 41; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Buffmire | Daniels | Duckworth |
| Dunnigan | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Jones |
| King | Lawrence | Litvack | Love |
| McGee | Morgan | Moss | Murray |
| Newbold | Pace | Shurtliff | Styler |
| Ure | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|-----------|--------------|
| Aagard | Adams | Alexander | Barrus |
| Bigelow | Bird | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Ferrin | Ferry | Frank |
| Harper | Hogue | Hughes | E. Hutchings |
| Kiser | Last | Lockhart | Morley |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Urquhart | Wallace |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|---------|------------|---------|-----------|
| Bennion | B. Johnson | Mascaro | McCartney |
|---------|------------|---------|-----------|

Representative Christensen's motion to amend passed on a voice vote.

3rd Sub. H.B. 140, as amended, then passed on the following roll call:

Yeas, 42; Nays, 31; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|-------------|----------|
| Aagard | Adams | Alexander | Barrus |
| Bigelow | Bird | Bowman | Bryson |
| Bush | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Ferrin |
| Frank | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Noel | Peterson | Philpot | Seitz |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| S. Allen | Anderson | Becker | Biskupski |
| Bourdeaux | Buffmire | Buttars | Daniels |
| Dougall | Duckworth | Dunnigan | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Jones | King | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Pace |
| Shurtliff | Styler | Webb | |

Absent or not voting were: Representatives

| | |
|---------|---------|
| Bennion | Newbold |
|---------|---------|

3rd Sub. H.B. 140, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Duckworth, the House voted to reconsider its action on **H.B. 79**.

RECONSIDERATION OF H.B. 79

H.B. 79, RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE, was before the House upon its final passage.

Representative Duckworth proposed the following amendment:

1. Page 3, Line 65:
After line 65 insert:
“(3) This section does not apply to a contract or agreement entered into before May 3, 2004.”

Representative Duckworth’s motion to amend passed on a voice vote.

H.B. 79, as amended, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |

| | | | |
|-----------|-------------|--------------|-------------|
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|---------|------------|------|
| Bennion | B. Johnson | Noel |
|---------|------------|------|

H.B. 79, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to recall **S.B. 154** from the Senate.

* * *

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

Sub. S.B. 245, MEDICAL DISPUTE RESOLUTION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **Sub. S.B. 245**.

* * *

S.B. 131, UNIFORM PRINCIPAL AND INCOME ACT, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 131**.

* * *

S.B. 165, WORKERS' COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 165**.

* * *

S.B. 177, PROPERTY TAX – OUTDOOR ADVERTISING, read the third time by short title and placed on its final passage.

Representative Becker proposed the following amendment:

1. Page 1, Lines 11 through 12

11 ► amends the definition of ~~[[personal]]~~ real property to ~~[[clarify]]~~
provide that outdoor advertising

12 structures are ~~[[personal]]~~ real property; ~~[[and]]~~

► provides that in assessing outdoor advertising structures, a county assessor shall presume that the tax value is equal to the condemnation value; and

2. Page 1, Lines 19 through 22:

19 AMENDS:

20 59–2–102, as last amended by Chapter 113, Laws of Utah 2003

ENACTS:

59–2–301.4, Utah Code Annotated 1953

21

22 Be it enacted by the Legislature of the state of Utah:

3. Page 6, Lines 164 through 172:

164 (24) “Personal property” includes:

165 (a) every class of property as defined in Subsection (25) which is the subject of

166 ownership and not included within the meaning of the terms “real estate” and “improvements”;

167 (b) gas and water mains and pipes laid in roads, streets, or alleys;

168 (c) bridges and ferries; ~~[[{]]and[[{]]~~

169 (d) livestock which, for the purposes of the exemption provided under Section

170 59-2-1112, means all domestic animals, honeybees, poultry, fur-bearing animals, and fish~~[[{]].[[{]]~~[[{]]

171 and

172 ~~(e) outdoor advertising structures as defined in Section 72-7-502.]]~~

4. Page 7, Lines 185 through 190:

185 (27) "Real estate" or "real property" includes:

186 (a) the possession of, claim to, ownership of, or right to the possession of land;

187 (b) all mines, minerals, and quarries in and under the land, all timber belonging to

188 individuals or corporations growing or being on the lands of this state or the United States, and

189 all rights and privileges appertaining to these; ~~[[and]]~~

190 (c) improvements ; and

(d) outdoor advertising structures as defined in Section 72-7-502 .

5. Page 8, Lines 220 through 221:

220 includes tax books, tax lists, and other similar materials.

Section 2. Section 59-2-301.4 is enacted to read:

59-2-301.4 Assessment of outdoor advertising structures as real property.

In assessing the fair market value of outdoor advertising structures as real property, a county assessor shall presume that the tax value is equal to the condemnation value.

221 Section ~~[[2]]~~ 3 . Retrospective operation.

Representative Becker's motion to amend failed on a voice vote.

S.B. 177 then passed on the following roll call:

Yeas, 69; Nays, 4; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |

| | | | |
|--------------|------------|-----------|------------|
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|---------|----------|
| Becker | Biskupski | Daniels | Lawrence |
|--------|-----------|---------|----------|

Absent or not voting were: Representatives

| | |
|----------|---------|
| Lockhart | Newbold |
|----------|---------|

S.B. 177 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 249, DEFINING PRACTICE OF CHIROPRACTIC PHYSICIAN, read the third time by short title and placed on its final passage.

Representative Becker proposed the following amendment:

1. Page 2, After line 35:
Insert: "A chiropractic physician may not claim to be a licensed acupuncturist without acupuncturist licensure."

Representative Becker's motion to amend passed on a voice vote.

S.B. 249, as amended, then passed on the following roll call:

Yeas, 47; Nays, 24; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Aagard | Adams | Alexander | Barrus |
| Bigelow | Bird | Bourdeaux | Bowman |
| Buffmire | Bush | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hardy | Harper | Hogue | Holdaway |
| E. Hutchings | B. Johnson | King | Kiser |
| Lawrence | Lockhart | Love | Mascaro |
| Morley | Moss | Newbold | Noel |
| Peterson | Philpot | Seitz | Thompson |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|-------------|
| Anderson | Becker | Biskupski | Bryson |
| Buttars | Christensen | Daniels | Dayton |
| Duckworth | Gowans | Hansen | Hendrickson |
| Hughes | Jones | Last | Litvack |
| McGee | Morgan | Murray | Pace |
| Shurtliff | G. Snow | Styler | Ure |

Absent or not voting were: Representatives

| | | | |
|----------|---------|-----------|-------------|
| S. Allen | Bennion | McCartney | M. Stephens |
|----------|---------|-----------|-------------|

S.B. 249, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **S.B. 131**.

S.B. 131, UNIFORM PRINCIPAL AND INCOME ACT, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete **S.B. 131** in title and body and insert **Sub. S.B. 131** in lieu thereof.

Sub. S.B. 131 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |

| | | | |
|-----------|-------------|--------------|------------|
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|-----------|---------|
| Bourdeaux | Lockhart | McCartney | Newbold |
| Thompson | M. Stephens | | |

Sub. S.B. 131, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **Sub. S.B. 185**.

Sub. S.B. 185, PUBLIC EDUCATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Allen, the House voted to reconsider its action on the amendments made by Representative Morgan on this bill.

Representative Morgan's motion to amend was before the house.

Representative Allen proposed the following substitute motion to amend:

1. Page 4, Lines 90 through 92

90 (3) (a) The members appointed under Subsections (2)(a)(i) through (vi) and (2)(b)(i)

91 through (vi) shall be appointed from lists containing at least two names submitted by

92 organizations representing each of the respective sectors.

(b) At least one member of the nominating and recruiting committee shall reside within each state board district in which a member’s term expires during the committee’s two–year term of office.

Representative Allen’s motion to amend passed on a voice vote.

Sub. S.B. 185, as amended, then passed on the following roll call:

Yeas, 52; Nays, 18; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-------------|-------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Bigelow | Bird | Bourdeaux |
| Bowman | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hardy | Hendrickson | Hogue |
| Holdaway | B. Johnson | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|--------------|---------|
| Becker | Bennion | Biskupski | Bryson |
| Buffmire | Daniels | Dayton | Dougall |
| Harper | Hughes | E. Hutchings | Jones |
| Litvack | McCartney | McGee | Morgan |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------------|--------|
| Alexander | Curtis | Goodfellow | Hansen |
| G. Snow | | | |

Sub. S.B. 185, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 4:05 p.m.

Speaker Pro Tem Harper called the House to order at 4:15 p.m.

THIRD READING CALENDAR

S.B. 183 , LOCAL GOVERNMENTS – AUTHORITY FOR DESIGN–BUILD CONSTRUCTION, read the third time by short title and placed on its final passage.

Representative Barrus proposed the following amendment:

- 1. Page 2, Lines 51 through 53

51 (4) “Design–build project :”

(a) means a building improvement or public works project § COSTING

51a OVER \$1,000,000 § with

52 respect to which both the design and construction are provided for in a single contract with a

53 contractor or combination of contractors capable of providing design–build services ; and

(b) does not include a building improvement or public works project:

(i) that is undertaken by a local entity under contract with a construction manager that guarantees the contract price and is at risk for any amount over the contract price; and

(ii) each component of which is competitively bid .

Representative Barrus’ motion to amend passed on a voice vote.

###

Representative Urquhart proposed the following amendment:

- 1. Page 2, Line 51a:

Delete “\$1,000,000” and insert “\$250,000”

Representative Urquhart’s motion to amend passed on a voice vote.

S.B. 183, as amended, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------|--------|----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|------------|-------------|-----------|-----------|
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|--------------|----------|
| Alexander | Curtis | E. Hutchings | Lawrence |
| Morgan | Morley | M. Stephens | |

S.B. 183, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate passed **S.B. 225**, UNINSURED AND UNDERINSURED MOTORIST COVERAGE, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 218**, LAW ENFORCEMENT OVERTIME FUND, by Senator J. Evans, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.C.R. 2**, RESOLUTION REGARDING CONSTRUCTION OF WASTE FACILITY, by Senator B. Wright, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **3rd Sub. S.B. 239**, UNFAIR BUSINESS PRACTICES, by Senator M. Dmitrich, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 225**, **S.B. 218**, **Sub. S.C.R. 2**, and **3rd Sub. S.B. 239**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: March 1, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators J. Evans, Valentine, and Hale to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 230**, PERFORMANCE PLUS – READING ACHIEVEMENT, by Senator J. Evans.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee will meet.

* * *

Mr. Speaker: March 1, 2004

The Senate adopted the Joint Conference Committee Report dated March 1, 2004, and passed **1st Sub. H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, by Representative R. Lockhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 1, 2004

The Joint Conference Committee comprised of Senators Walker, Killpack, and Hale, and Representatives Lockhart, Dougall, and Hansen, recommends **H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, by Representative R. Lockhart, be replaced and favorably recommends **1st Sub. H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION.

Senator Walker,
Senate Chair
Representative Lockhart,
House Chair

Report filed. On motion of Representative Lockhart, the House voted to adopt the Conference Committee Report.

Sub. H.B. 28 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Lockhart |
| Love | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Wallace | Webb | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------|----------|-------------|
| Christensen | Curtis | Daniels | Lawrence |
| Mascaro | Morley | Urquhart | M. Stephens |

Sub. H.B. 28 transmitted to the Senate for signature of the President.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 1, 2004

The Senate passed, **H.B. 1**, SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communication filed. **H.B. 1** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle **S.B. 139**.

S.B. 139, INDIVIDUAL INCOME TAX – NONRESIDENT INCOME AMENDMENTS, was before the House on its final passage.

S.B. 139 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|--------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | Jones |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|--------|------------|-------------|--------|
| Curtis | B. Johnson | Lawrence | Morgan |
| Morley | Urquhart | M. Stephens | |

S.B. 139 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 240, MOTION PICTURE TASK FORCE, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 1, Line 26:
Delete "\$32,000" and insert "\$7,000"

- 2. Page 3, Line 83:
Delete the semi-colon and insert “and”
- 3. Page 3, Line 85:
Delete “; and” and insert a period
- 4. Page 3, Lines 86–87:
Delete lines 86 and 87.

Representative Bigelow’s motion to amend passed on a voice vote.

S.B. 240, as amended, then passed on the following roll call:

Yeas, 65; Nays, 2; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | |
|-----------|----------|
| Alexander | Thompson |
|-----------|----------|

Absent or not voting were: Representatives

| | | | |
|--------|--------|----------|-------------|
| Curtis | Gowans | Hogue | Lawrence |
| Morgan | Morley | Urquhart | M. Stephens |

S.B. 240, as amended, returned to the Senate for further consideration.

* * *

S.B. 33, MOBILE HOME PARK RESIDENCY ACT, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 33**.

* * *

Sub. S.B. 29, ACCESS TO RURAL HEALTH CARE PROVIDERS, read the third time by short title and placed on its final passage.

On motion of Representative Seitz, the House voted to circle **Sub. S.B. 29**.

* * *

Sub. S.B. 53, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, read the third time by short title and placed on its final passage.

Sub. S.B. 53 then passed on the following roll call:

Yeas, 60; Nays, 8; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|----------|-------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Ferrin | Ferry |
| Frank | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | Hughes | B. Johnson |
| Jones | Kiser | Last | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|------------|--------|---------|----------|
| Alexander | Becker | Dillree | Dunnigan |
| Goodfellow | Gowans | Harper | King |

Absent or not voting were: Representatives

| | | | |
|-----------|--------------|-------------|---------|
| Curtis | E. Hutchings | Lawrence | Litvack |
| McCartney | Morley | M. Stephens | |

Sub. S.B. 53 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 55, GOVERNMENTAL IMMUNITY ACT OF UTAH, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **Sub. S.B. 55**.

* * *

S.B. 62, STAY OF EXECUTION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **S.B. 62**.

* * *

S.B. 167, VICTIM RESTITUTION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 167 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|----------|--------|
| Curtis | Holdaway | Lawrence | Morley |
| Newbold | | | |

S.B. 167 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 176, FINANCIAL INSTITUTIONS AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 176 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bird |
| Bourdeaux | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Pace |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Absent or not voting were: Representatives

| | | | |
|-------------|----------|-----------|----------|
| Alexander | Bigelow | Biskupski | Bowman |
| Curtis | Holdaway | Last | Lawrence |
| Morley | Newbold | Noel | Peterson |
| M. Stephens | | | |

Sub. S.B. 176 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

INTENT LANGUAGE FOR SUB. S.B. 176

On motion of Representative Adams, the House voted to print the following intent language on the pages of the House Journal.

“In passing 1st Substitute S.B. 176, Financial Institutions Amendments, it is the intent of the Legislature that the renaming of “industrial loan corporations” as “industrial banks” under this bill is not to have substantive legal effect on industrial loan corporations, chartered under Utah law that are depository institutions as of the effective date of this bill. Under this bill an industrial bank is required to be a depository institution. Industrial loan corporations that are not depository institutions as of the effective date of this bill are grandfathered under this bill as “industrial loan companies” and would be subject to Title 7, Chapter 8, Industrial Banks, to the same extent as industrial banks except for provisions related to receiving and holding deposits.

It is the intent of the Legislature that all state and federal laws that before enactment of this bill, reference or apply to a Utah industrial loan corporation that is a depository institution as of the effective date of the bill, continue to reference or apply after passage of this bill, without any substantive legal change.”

THIRD READING CALENDAR

S.B. 223, TRANSPORTATION CONSTRUCTION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 223 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Hughes | E. Hutchings |
| B. Johnson | Jones | Kiser | Last |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------------|----------|---------|----------|
| Christensen | Curtis | Dougall | Holdaway |
| King | Lawrence | Morley | Moss |

S.B. 223 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle **Sub. S.B. 245**.

Sub. S.B. 245, MEDICAL DISPUTE RESOLUTION AMENDMENTS, was before the House on its final passage.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 6:15 p.m.

Speaker Stephens called the House to order at 6:25 p.m.

Sub. S.B. 245, MEDICAL DISPUTE RESOLUTION AMENDMENTS, was before the House on its final passage.

Representative Daniels declared a conflict of interest because this is his profession.

Representative Daniels proposed the following amendment:

1. Page 3, Line 65:
Delete "all persons claiming damages and"
2. Page 3, Line 66:
Delete "the health care provided"

Representative Daniels' motion to amend passed on a voice vote.

Sub. S.B. 245, as amended, then passed on the following roll call:

Yeas, 64; Nays, 10; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-----------|-----------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bigelow | Bird | Bourdeaux |
| Bowman | Bush | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dillree | Donnelson | Dougall |

| | | | |
|-----------|------------|--------------|-------------|
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|----------|-----------|--------|
| Adams | Bennion | Biskupski | Bryson |
| Buffmire | S. Clark | Dayton | Dee |
| Kiser | Morley | | |

Absent or not voting was: Representative

Alexander

Sub. S.B. 245, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate adopted the Joint Conference Committee Report dated March 1, 2004, and passed **1st Sub. H.B. 88**, STATE LAND USE MANAGEMENT PLANS, by Representative Johnson, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 1, 2004

The Joint Conference Committee comprised of Senators Beverly Evans, Tom Hatch, and Gene Davis, and Representatives Brad Johnson, Mike Noel, and James Gowans, recommends **H.B. 88**, STATE LAND USE MANAGEMENT PLANS,

by Representative B. Johnson, be replaced and favorably recommends **1st Sub. H.B. 88**, STATE LAND USE MANAGEMENT PLANS.

Senator Evans,
Senate Chair
Representative Johnson,
House Chair

Report filed. On motion of Representative Johnson, the House voted to adopt the Conference Committee report.

Sub. H.B. 88 passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting was: Representative Alexander

Sub. H.B. 88 transmitted to the Senate for signature of the President.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 1, 2004

The Senate adopted the Joint Conference Committee Report dated March 1, 2004, and passed **2nd Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE

LEGISLATURE, by Representative C. Frank, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 1, 2004

The Joint Conference Committee comprised of Senators James Evans, Howard Stephenson, and Karen Hale, and Representatives Craig Frank, Greg Curtis, and Ralph Becker, recommends **1st Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative C. Frank, be replaced and favorably recommends **2nd Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE.

Senator Evans,
Senate Chair
Representative Frank,
House Chair

Report filed. On motion of Representative Frank, the House voted to adopt the Conference Committee Report.

2nd Sub. H.B. 40 passed on the following roll call:

Yeas, 71; Nays, 2; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |

| | | | |
|----------|---------|-------------|-----------|
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives
Christensen Dayton

Absent or not voting were: Representatives
Curtis Urquhart

2nd Sub. H.B. 40 transmitted to the Senate for signature of the President.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate passed, as amended, **S.B. 3**, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **4th Sub. S.B. 191**, OIL AND GAS RELATED TAXES AND FEES, by Senator B. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 3** and **4th Sub. S.B. 191**, read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to lift **S.B. 3** and **4th Sub. S.B. 191** from the Rules Committee, consider them read the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

S.B. 3, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Snow proposed the following amendment:

1. Page 16, Line 492 through Page 17, Line 498:

492 (1) There is appropriated from the Uniform School Fund to the State Board of Education.

493 for fiscal year 2004–05 only;

494 ~~[[(1)]] (a) \$5,500,000 for classroom supplies and materials to be distributed to, and expended~~

495 by, teachers in accordance with Subsection 53A–17a–149(2);

496 ~~[[(2)]] (b) \$1,600,000 for adult education; and~~

497 ~~[[(3)]] (c) \$17,200,400 for a bonus ~~[[of equal value]]~~ for each ~~[[full-time]]~~employee of a school~~

498 district or charter school.

(2) It is the intent of the Legislature that the appropriation under Subsection (1)(c) shall:

(a) fund a 1% cost-of-living allowance for employees of school districts and charter schools effective June 19, 2004; and

(b) be distributed as a one-time bonus in December 2004 to each school district and charter school employee, calculated on an FTE equivalent basis.

2. Page 4, Line 93:

Delete “capital” and insert “funding school”

Representative Snow’s motion to amend passed on a voice vote.

###

Representative Ferrin proposed the following amendment:

1. Page 1, Line 24:

Delete “capital” and insert “funding school”

Representative Ferrin’s motion to amend passed on a voice vote.

S.B. 3, as amended, then passed on the following roll call:

Yeas, 58; Nays, 17; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |

| | | | |
|-------------|-------------|----------|--------------|
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lawrence |
| Lockhart | Love | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|---------|-------------|
| Becker | Biskupski | Daniels | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Jones | King | Litvack | Mascaro |
| McCartney | McGee | Moss | Philpot |
| Shurtliff | | | |

S.B. 3, as amended, returned to the Senate for further consideration.

* * *

4th Sub. S.B. 191, OIL AND GAS RELATED TAXES AND FEES, read the third time by short title and placed on its final passage.

4th Sub. S.B. 191 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |

| | | | |
|----------|---------|----------|-------------|
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|-----------|--------|-------|
| Alexander | Curtis | Hogue |
|-----------|--------|-------|

4th Sub. S.B. 191 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate passed **S.B. 195**, TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICE, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 26**, PUBLIC SAFETY RETIREES' COST-OF-LIVING INCREASE, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 195** and **3rd Sub. S.B. 26**, read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to lift **S.B. 195** and **3rd Sub. S.B. 26** from the Rules Committee, consider them read the second time by short title and placed at the top of the calendar for third reading.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 1, 2004

The Senate passed, as substituted, and amended **1st Sub. S.B. 250**, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE

STATE TAX COMMISSION, by Senator J. Valentine, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 250**, read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to lift **Sub. S.B. 250** from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **H.B. 365**.

H.B. 365, DISCLOSURE OF STATE EMPLOYEES' COMPENSATION AND BENEFITS, was before the House on its final passage.

H.B. 365 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|------------|--------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|------------|---------|----------|--------|
| Alexander | Bennion | Buxton | Curtis |
| B. Johnson | Morley | Thompson | |

H.B. 365 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative McGee, the House voted to uncircle **Sub. H.B. 276**.

Sub. H.B. 276, ADOPTION LAW REVISIONS, was before the House on its final passage.

On motion of Representative McGee, the House voted to delete **Sub. H.B. 276** in title and body and insert **2nd Sub. H.B. 276** in lieu thereof with an amendment on page 2, line 46: after “Services” delete the rest of the line.

2nd Sub. H.B. 276 then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|--------|---------|
| Alexander | Hendrickson | Morley | Philpot |
|-----------|-------------|--------|---------|

2nd Sub. H.B. 276, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 327, IMPOUNDED VEHICLES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 327 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|---------|----------|
| Bennion | Curtis | Dougall | Dunnigan |
| Harper | Morley | Moss | Urquhart |

H.B. 327 transmitted to the Senate for its consideration.

* * *

H.B. 132, DRIVER LICENSE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle **H.B. 132**.

* * *

Sub. H.B. 281, TOXIC MOLD DISCLOSURE, read the third time by short title and placed on its final passage.

Sub. H.B. 281 then failed to pass on the following roll call:

Yeas, 36; Nays, 38; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|------------|-------------|
| S. Allen | Barrus | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Bush | Buttars | Curtis | Daniels |
| Dillree | Duckworth | Goodfellow | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| Jones | King | Lawrence | Litvack |
| Mascaro | McGee | Morgan | Moss |
| Murray | Pace | Seitz | Shurtliff |
| Styler | Urquhart | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|----------|-----------|--------------|
| Aagard | Adams | Alexander | Anderson |
| Bennion | Bigelow | Bryson | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dayton | Dee | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Harper | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lockhart |
| Love | Morley | Newbold | Noel |
| Peterson | Philpot | G. Snow | Thompson |
| Ure | Webb | | |

Absent or not voting was: Representative
McCartney

Sub. H.B. 281 was filed.

* * *

H.B. 298, RESIDENCE LIEN RECOVERY FUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 298, as amended, then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.**Voting in the affirmative were:** Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative

Hogue

Absent or not voting were: Representatives

| | | | |
|-----------|-------|--------|----------|
| Bourdeaux | Jones | Morley | Urquhart |
|-----------|-------|--------|----------|

H.B. 298, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 303, CHILD WELFARE REVISIONS, read the third time by short title and placed on its final passage.

H.B. 303, as amended, then passed on the following roll call:

Yeas, 69; Nays, 3; Absent or not voting, 3.**Voting in the affirmative were:** Representatives

| | | | |
|----------|----------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |

| | | | |
|-------------|-------------|-----------|------------|
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hardy | Harper |
| Hogue | Holdaway | Hughes | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

Gowans Hansen Hendrickson

Absent or not voting were: Representatives

Bourdeaux E. Hutchings Urquhart

H.B. 303, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 301, VOTER REGISTRATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Hansen proposed the following amendment:

1. Page 2, Line 47:
Reinstate line 47.
2. Page 6, Line 176:
Reinstate line 176.

Representative Hansen’s motion to amend failed on a voice vote.

H.B. 301 then passed on the following roll call:

Yeas, 54; Nays, 18; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|------------|-------------|-------------|--------------|
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|------------|----------|
| Anderson | Biskupski | Bourdeaux | Buffmire |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Jones |
| Litvack | McCartney | McGee | Morgan |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | | |
|---------|------|----------|
| Dougall | King | Urquhart |
|---------|------|----------|

H.B. 301 transmitted to the Senate for its consideration.

* * *

H.B. 318, UNIFORM STATEWIDE FEES FOR CERTAIN TANGIBLE PERSONAL PROPERTY, read the third time by short title and placed on its final passage.

H.B. 318 then failed to pass on the following roll call:

Yeas, 21; Nays, 51; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|----------|-------------|
| Adams | Bennion | Bowman | Christensen |
| Curtis | Dougall | Ferrin | Hardy |
| Hughes | B. Johnson | Last | Love |
| Noel | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Thompson | Ure |
| Wallace | | | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |

| | | | |
|-----------|--------------|-------------|----------|
| Biskupski | Bourdeaux | Bryson | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Kiser | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Styler | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | |
|-----------|----------|----------|
| Duckworth | Lockhart | Urquhart |
|-----------|----------|----------|

H.B. 318 was filed.

* * *

Sub. H.B. 348, PRIVACY AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 348 then passed on the following roll call:

Yeas, 55; Nays, 18; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morgan | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|---------|-----------|------------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Daniels | Duckworth | Goodfellow |

| | | | |
|--------|-----------|-------------|-------|
| Gowans | Hansen | Hendrickson | Hogue |
| King | Litvack | McCartney | McGee |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | |
|--------|----------|
| Morley | Urquhart |
|--------|----------|

Sub. H.B. 348 transmitted to the Senate for its consideration.

* * *

H.C.R. 8, RESOLUTION PROMOTING READING READINESS BY ENCOURAGING UTAH CITIZENS TO READ WITH A CHILD 20 MINUTES A DAY, read the third time by short title and placed on its final passage.

H.C.R. 8 then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | |
|--------|----------|--------|
| Bowman | S. Clark | Curtis |
|--------|----------|--------|

H.C.R. 8 transmitted to the Senate for its consideration.

* * *

H.B. 322, GOLF CARTS ALLOWED ON CERTAIN HIGHWAYS, read the third time by short title and placed on its final passage.

Representative Kiser proposed the following amendment:

- 1. Page 1, Line 27 through Page 2, Line 28
House Committee Amendments
2-20-2004
- 27 Other Special Clauses:
- 28 ~~[[None]]~~ This bill takes effect on January 1, 2005.
- 2. Page 10, Line 292:
292 under law.
Section 3. Effective date.
This bill takes effect on January 1, 2005.

Representative Kiser’s motion to amend passed on a voice vote.

H.B. 322, as amended, then passed on the following roll call:

Yeas, 42; Nays, 33; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|------------|----------|
| Alexander | Barrus | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Dougall | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Holdaway |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Shurtliff | Styler | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|---------|----------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Bennion | Bigelow | Bush | Buttars |
| Christensen | Curtis | Dayton | Donnelson |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|-------------|---------|----------|------------|
| Hardy | Harper | Hughes | B. Johnson |
| Lockhart | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | G. Snow | Thompson | Ure |
| M. Stephens | | | |

H.B. 322, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 315, LOCAL OPTION SALES AND USE TAX AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

- 1. Page 5, Line 147 through Page 6, Line 153

147 a bond or other obligation :

148 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

149 day on which the county, city, or town legislative body adopts the resolution in accordance

150 with Subsection (8)(a) to repeal the tax: ~~[[and]]~~

(ii) the county, city, or town legislative body shall:

(A) adopt an ordinance:

(I) reducing the tax rate to a percentage that is not less than that required by the related bond covenants and other obligations; and

(II) that takes effect as provided in Subsection 59–12–208.1(2); and

(B) before the ordinance described in Subsection (8)(b)(ii)(A) takes effect, provide notice to the commission:

(I) meeting the requirements of Subsection 59–12–208.1(2); and

(II) stating the day on which the bond or other obligations will no longer be outstanding; and

151 ~~[[~~(ii)~~]] (iii) the county, city, or town legislative body shall provide notice to the commission:~~

152 (A) no later than 90 days before the day on which the ~~[[obligation to pay the bond is]]~~

153 ~~[[satisfied]]~~ bond or other obligations will no longer be outstanding

;

2. Page 7, Lines 203 through 204:

203 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

204 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

3. Page 7, Lines 209 through 210:

209 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary

210 to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

4. Page 8, Lines 215 through 218:

215 (II) stating the day on which the [[county legislative body estimates that the obligation to]]

216 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

217 (iii) the county legislative body shall provide notice to the commission no later than 90

218 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding :

5. Page 11, Lines 316 through 318:

316 (b) effective as provided in [[Subsection 59-12-208.1(2)]] Section 59-12-355 ; and

317 (c) if the legislative body of the municipality provides notice to the commission as

318 required by [[Subsection 59-12-208.1(2)]] Section 59-12-355 .

6. Page 11, Lines 323 through 329:

323 (ii) effective as provided in [[Subsection 59-12-208.1(2)]] Section 59-12-355 ; and

324 (iii) if the legislative body of the municipality provides notice to the commission as

325 required by ~~[[Subsection 59-12-208.1(2)]] Section 59-12-355~~ .
 326 (b) If, on the day on which a legislative body of a municipality
adopts a resolution in
 327 accordance with Subsection (6)(a) to repeal a tax imposed in
accordance with this section, any
 328 portion of the tax is pledged to secure the payment of a bond or other
obligation :
 329 (i) the tax may not be pledged to secure the payment of a bond or
other obligation issued on or after the

7. Page 11, Lines 334 through 336:

334 (I) reducing the tax rate to a percentage that ~~[[does not exceed the~~
percentage necessary]]
 335 [[to generate revenues sufficient to satisfy the obligation to pay the
bond]] is not less than that required by the related bond covenants and
other obligations ; and
 336 (II) that takes effect as provided in Subsection ~~[[59-12-208.1(2)]]~~
Section 59-12-355 ; and

8. Page 12, Lines 339 through 346:

339 (I) as required by ~~[[Subsection 59-12-208.1(2)]] Section~~
59-12-355 ; and
 340 (II) stating the day on which the ~~[[legislative body of the~~
municipality estimates that the
 341 obligation to pay the bond will be satisfied]] bond or other
obligations will no longer be outstanding ; and
 342 (iii) the legislative body of the municipality shall provide notice to
the commission no
 343 later than 90 days before the day on which the ~~[[obligation to pay~~
the bond is satisfied]] bond or other obligations will no longer be
outstanding :
 344 (A) that meets the requirements of ~~[[Subsection 59-12-208.1(2)]]~~
Section 59-12-355 ; and
 345 (B) that provides that the repeal of the tax shall take effect as
provided in ~~[[Subsection]] Section~~

346 ~~[[59-12-208.1(2)]]~~ 59-12-355 .

9. Page 15, Lines 432 through 433:

432 payment of a bond or other obligation :

433 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

10. Page 15, Lines 438 through 439:

438 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

439 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

11. Page 15, Lines 444 through 447:

444 (II) stating the day on which the [[city or town legislative body estimates that the

445 obligation to pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

446 (iii) the city or town legislative body shall provide notice to the commission no later

447 than 90 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding ;

12. Page 18, Lines 526 through 527:

526 bond or other obligation :

527 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

13. Page 18, Lines 532 through 533:

532 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

533 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

14. Page 18, Lines 538 through 541:

538 ~~(II) stating the day on which the [[legislative body of the municipality estimates that the]]~~

539 ~~[[obligation to pay the bond will be satisfied]]~~ bond or other obligations will no longer be outstanding ; and

540 ~~(iii) the legislative body of the municipality shall provide notice to the commission no~~

541 later than 90 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will be satisfied ;

15. Page 20, Lines 603 through 604:

603 payment of a bond or other obligation ;

604 ~~(i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the~~

16. Page 20, Lines 609 through 610:

609 ~~(I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]~~

610 ~~[[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and~~

17. Page 20, Lines 615 through 616:

615 ~~(II) stating the day on which the [[county, city, or town legislative body estimates that]]~~

616 ~~[[the obligation to pay the bond will be satisfied]]~~ bond or other obligations will no longer be outstanding ; and

18. Page 21, Line 618:

618 no later than 90 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding ;

19. Page 21, Line 647:

647 or town ~~[[governing]]~~ legislative body 15 days in advance in the manner prescribed by statute.

20. Page 23, Lines 690 through 691:

690 payment of a bond or other obligation :

691 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

21. Page 23, Lines 696 through 697:

696 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

697 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

22. Page 23, Lines 702 through 705:

702 (II) stating the day on which the [[county, city, or town legislative body estimates that]]

703 [[the obligation to pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

704 (iii) the county, city, or town legislative body shall provide notice to the commission

705 no later than 90 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding :

23. Page 32, Lines 987 through 988:

987 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

988 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

24. Page 33, Lines 993 through 994:

993 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

994 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

25. Page 33, Lines 999 through 1002:

999 (II) stating the day on which the [[county legislative body estimates that the obligation to]]

1000 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

1001 (iii) the county legislative body shall provide notice to the commission no later than 90

1002 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding ;

26. Page 35, Line 1081 through Page 36, Line 1082:

1081 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation ;

1082 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

27. Page 36, Lines 1087 through 1088:

1087 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

1088 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

28. Page 36, Lines 1093 through 1096:

1093 (II) stating the day on which the [[county legislative body estimates that the obligation to]]

1094 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

1095 (iii) the county legislative body shall provide notice to the commission no later than 90

1096 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding ;

29. Page 41, Lines 1255 through 1256:

1255 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation ;

1256 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

30. Page 41, Lines 1261 through 1262:

1261 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

1262 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

31. Page 41, Line 1267 through Page 42, Line 1268:

1267 (II) stating the day on which the [[county legislative body estimates that the obligation to]]

1268 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

32. Page 42, Line 1270:

1270 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding :

33. Page 43, Lines 1327 through 1328:

1327 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

1328 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

34. Page 44, Lines 1333 through 1334:

1333 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

1334 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

35. Page 44, Lines 1339 through 1342:

1339 (II) stating the day on which the [[city legislative body estimates that the obligation to]]

1340 ~~[[pay the bond will be satisfied]]~~ bond or other obligations will no longer be outstanding ; and

1341 (iii) te city legislative body shall provide notice to the commission no later than 90

1342 days before the day on which the ~~[[obligation to pay the bond is satisfied]]~~ bond or other obligations will no longer be outstanding :

36. Page 49, Lines 1514 through 1515:

1514 payment of a bond or other obligation :

1515 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

37. Page 50, Lines 1520 through 1521:

1520 (I) reducing the tax rate to a percentage that ~~[[does not exceed the percentage necessary~~

1521 to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

38. Page 50, Lines 1526 through 1529:

1526 (II) stating the day on which the ~~[[city or town legislative body estimates that the~~

1527 obligation to pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

1528 (iii) the city or town legislative body shall provide notice to the commission no later

1529 than 90 days before the day on which the ~~[[obligation to pay the bond is satisfied]]~~ bond or other obligations will no longer be outstanding

;

39. Page 53, Lines 1637 through 1638:

1637 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

1638 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

40. Page 54, Lines 1640 through 1643:

1640 ~~(5)(a) to repeal the tax: [[and]]~~

(ii) the county legislative body shall:

(A) adopt an ordinance:

(I) reducing the tax rate to a percentage that is not less than that required by the related bond covenants and other obligations ; and

(II) that takes effect as provided in Subsection (6); and

(B) before the ordinance described in Subsection (5)(b)(ii)(A) takes effect, provide notice to the commission:

(I) meeting the requirements of Subsection (6); and

(II) stating the day on which the bond or other obligations will no longer be outstanding; and

1641 ~~[[(ii)]]~~ (iii) the county legislative body shall provide notice to the commission:

1642 ~~(A) no later than 90 days before the day on which the [[obligation to pay the bond is]]~~

1643 ~~[[satisfied]]~~ bond or other obligations will no longer be outstanding ;

41. Page 61, Lines 1878 through 1879:

1878 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

1879 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

42. Page 61, Lines 1884 through 1885:

1884 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

1885 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

43. Page 62, Lines 1890 through 1893:

1890 (II) stating the day on which the [[town legislative body estimates that the obligation to]]

1891 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

1892 (iii) the town legislative body shall provide notice to the commission no later than 90

1893 days before the day on which the ~~[[obligation to pay the bond is satisfied]]~~ bond or other obligations will no longer be outstanding :

44. Page 68, Lines 2103 through 2104:

2103 payment of a bond or other obligation :

2104 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

45. Page 69, Lines 2109 through 2110:

2109 (I) reducing the tax rate to a percentage that ~~[[does not exceed the percentage necessary]]~~

2110 ~~[[to generate revenues sufficient to satisfy the obligation to pay the bond]]~~ is not less than that required by the related bond covenants and other obligations ; and

46. Page 69, Lines 2115 through 2118:

2115 (II) stating the day on which the ~~[[city or town legislative body estimates that the]]~~

2116 ~~[[obligation to pay the bond will be satisfied]]~~ bond or other obligations will no longer be outstanding ; and

2117 (iii) the city or town legislative body shall provide notice to the commission no later

2118 than 90 days before the day on which the ~~[[obligation to pay the bond is satisfied]]~~ bond or other obligations will no longer be outstanding :

47. Page 71, Line 2192:

2192 (C) in accordance with the procedures and requirements of Section 20A-~~[[a]]~~ 1 -203.

48. Page 75, Lines 2302 through 2303:

2302 accordance with this section, any portion of the tax is pledged to secure the payment of a bond or other obligation :

2303 (i) the tax may not be pledged to secure the payment of a bond or other obligation issued on or after the

49. Page 75, Lines 2308 through 2309:

2308 (I) reducing the tax rate to a percentage that [[does not exceed the percentage necessary]]

2309 [[to generate revenues sufficient to satisfy the obligation to pay the bond]] is not less than that required by the related bond covenants and other obligations ; and

50. Page 75, Lines 2314 through 2317:

2314 (II) stating the day on which the [[county legislative body estimates that the obligation to]]

2315 [[pay the bond will be satisfied]] bond or other obligations will no longer be outstanding ; and

2316 (iii) the county legislative body shall provide notice to the commission no later than 90

2317 days before the day on which the [[obligation to pay the bond is satisfied]] bond or other obligations will no longer be outstanding ;

Representative Dougall’s motion to amend passed on a voice vote.

###

Representative Harper proposed the following amendment:

1. Page 2, Line 36

36 the legislative body of a political subdivision; ~~[[and]]~~
▶ allows a county to impose a sales and use tax of up to .25%, the revenues from which will be distributed to school districts; and

2. Page 3, Line 61:

61 59-12-1503, as enacted by Chapter 282, Laws of Utah 2003

ENACTS:

59-12-1601

59-12-1602

59-12-1603

59-12-1604

59-12-1605

59-12-1606

3. Page 75, Lines 2320 through 2321:

2320 (9).

Section 19. Section 59-12-1601 is enacted to read:

Part 16. County Option Sales and Use Tax for School District

59-12-1601. County option sales and use tax for school district —

Tax rate

(1) Except as provided in Subsection (2), and subject to the other provisions of this part, a county legislative body may by ordinance impose a sales and use tax on every transaction listed in Subsection 59-12-103(1) made within a county, including areas contained within the cities and towns located in the county:

(a) at the rate of up to .25% of the purchase price paid or charged;

and

(b) if the transaction is consummated within the county in accordance with Section 59-12-205.

(2) Notwithstanding Subsection (1), an ordinance described in Subsection (1) shall include a provision prohibiting a county from imposing a tax under this part on:

(a) the sales and uses described in Section 59-12-104 to the extent the sales and uses are exempt from taxation under Section 59-12-104;

and

(b) any amount paid or charged by a vendor that collects a tax under Subsection 59-12-107(1)(b).

Section 20. Section 59-12-1602 is enacted to read:

59-12-1602. Voter approval requirements

(1)(a) Before imposing a tax under this part, a county legislative body shall:

(i) obtain approval from a majority of the members of the county legislative body to impose the tax; and

(ii) subject to Subsection (1)(b), submit an opinion question to the county's registered voters voting on the imposition of the tax so that each registered voter has the opportunity to express the registered voter's opinion on whether a tax should be imposed under this part.

(b) The opinion question required by Subsection (1)(a)(ii):

(i) shall state the proposed tax rate of the tax described in Section 59-12-1601; and

(ii) may include a provision stating the day on which a tax under this

part shall be repealed.

(c) The election required by this Section shall be held:

(i) at a regular general election; and

(ii) in accordance with the procedures and requirements of Title 20A, Election Code, governing regular general elections.

(2) Subject to the other provisions of this part, if a county legislative body determines that a majority of the county's registered voters voting on the imposition of the tax have voted in favor of the imposition of the tax in accordance with Subsection (1), the county legislative body may impose the tax by a majority vote of all the members of the county legislative body.

Section 21. Section 59-12-1603 is enacted to read:

59-12-1603. Change in tax rate -- repeal of tax.

(1) If a county legislative body imposes a tax under this part at a tax rate that is less than .25%, the county legislative body may increase the tax rate up to .25%:

(a) by ordinance of the county legislative body;

(b) if the county legislative body meets the same requirements established in this section for obtaining voter approval to impose the tax;
and

(c) if the county legislative body provides notice to the commission as required by Section 59-12-1606.

(2)(a) A county legislative body may repeal a tax imposed in accordance with this part:

(i) by resolution of the county legislative body;

(ii) except as provided in Subsection (2)(b), effective as provided in Section 59-12-1606; and

(iii) if the county legislative body provides notice to the commission as required by Section 59-12-1606.

(b) Notwithstanding Subsection (2)(a)(ii), if, on the day on which a county legislative body adopts a resolution in accordance with Subsection (2)(a) to repeal a tax imposed in accordance with this part, any portion of the tax is pledged to secure the payment of a bond:

(i) the tax may not be pledged to secure the payment of a bond issued on or after the day on which the county legislative body adopts the resolution in accordance with Subsection (2)(a) to repeal the tax;

(ii) the county legislative body shall:

(A) adopt an ordinance;

(I) reducing the tax rate to a percentage that does not exceed the percentage necessary to generate revenues sufficient to satisfy the

obligation to pay the bond; and

(II) that takes effect as provided in Section 59-12-1606; and

(B) before the ordinance described in Subsection (2)(b)(ii)(A) takes effect, provide notice to the commission:

(I) as required by Section 59-12-1606; and

(II) stating the day on which the county legislative body estimates that the obligation to pay the bond will be satisfied; and

(iii) the county legislative body shall provide notice to the commission no later than 90 days before the day on which the obligation to pay the bond is satisfied:

(A) that meets the requirements of Section 59-12-1606; and

(B) that provides that the repeal of the tax shall take effect as provided in Section 59-12-1606.

Section 22. Section 59-12-1604 is enacted to read:

59-12-1604. Distribution of tax revenues.

(1) The monies generated by a tax imposed under this part shall be distributed:

(a) to each school district if a portion of the student enrollment of the school district is located within the county imposing the tax under this part; and

(b) on the basis of the percentage that the student enrollment of the portion of the school district that is located within the county bears to the total student enrollment of the school districts that are within the county.

(2) Population figures for purposes of this part shall be based on the most recent official census or census estimate of the United States Census Bureau.

(3) If a needed population estimate is not available from the United States Census Bureau, population figures shall be derived from the estimate from the Utah Population Estimates Committee created by executive order of the governor.

Section 23. Section 59-12-1605 is enacted to read:

59-12-1605. Administration, enforcement, and collection of tax.

(1) The commission shall administer, collect, and enforce the tax under this part in accordance with the procedures outlined in:

(a) Part 1, Tax Collection, for the administration, collection, and enforcement of the state sales and use tax; and

(b) Chapter 1, General Taxation Policies.

(2)(a) The commission may retain an amount of tax collected under this part of not to exceed the lesser of:

(i) 1.5%; or

(ii) an amount equal to the cost to the commission of administering this part.

(b) Any amount the commission retains under Subsection (2)(a) shall be:

(i) placed in the Sales and Use Tax Administrative Fees Account; and

(ii) used as provided in Subsection 59-12-206(2).

Section 24. Section 59-12-1606 is enacted to read:

59-12-1606. Enactment or repeal of tax or tax rate change --- Effective date --- Notice requirements.

(1) For purposes of this section:

(a) "Annexation" means an annexation to a county under Title 17, Chapter 2, Annexation to County.

(b) "Annexing area" means an area that is annexed into a county.

(2)(a) If a county enacts, repeals, or changes the rate of a tax under this part, the enactment, repeal, or change in rate shall take effect:

(i) on the first day of a calendar quarter; and

(ii) after a 75-day period beginning on the date the commission receives notice meeting the requirements of Subsection (2)(b) from the county.

(b) The notice described in Subsection (2)(a)(ii) shall state:

(i) that the county will enact, repeal, or change the rate of a tax under this part;

(ii) the statutory authority for the tax described in Subsection (2)(b)(i);

(iii) the effective date of the tax described in Subsection (2)(b)(i);

and

(iv) if the county enacts or changes the rate of the tax described in Subsection (2)(b)(i), the rate of the tax.

(c)(i) Notwithstanding Subsection (2)(a) or (3)(a), for a transaction described in Subsection (2)(c)(iii), the enactment of a tax or a tax rate increase shall take effect on the first day of the first billing period:

(A) that begins after the effective date of the enactment of the tax or the tax rate increase; and

(B) if the billing period for the transaction begins before the effective date of the enactment of the tax or the tax rate increase imposed under this part.

(ii) Notwithstanding Subsection (2)(a) or (3)(a), for a transaction described in Subsection (2)(c)(iii), the repeal of a tax or a tax rate decrease shall take effect on the first day of the last billing period:

(A) that began before the effective date of the repeal of the tax or the tax rate decrease; and

(B) if the billing period for the transaction begins before the effective date of the repeal of the tax or the tax rate decrease imposed under this part.

(iii) Subsections (2)(c)(i), (2)(c)(ii), (3)(c)(i), and (3)(c)(ii) apply to transactions subject to a tax under:

(A) Subsection 59-12-103(1)(b);

(B) Subsection 59-12-103(1)(c);

(C) Subsection 59-12-103(1)(d);

(D) Subsection 59-12-103(1)(e);

(E) Subsection 59-12-103(1)(f);

(F) Subsection 59-12-103(1)(g);

(G) Subsection 59-12-103(1)(h);

(H) Subsection 59-12-103(1)(i);

(I) Subsection 59-12-103(1)(j); or

(J) Subsection 59-12-103(1)(k).

(d)(i) Notwithstanding Subsection (2)(a) or (3)(a), if a tax due under this part on a catalogue sale is computed on the basis of sales and use tax rates published in the catalogue, an enactment, repeal, or change in the rate of a tax takes effect:

(A) on the first day of a calendar quarter; and

(B) beginning 60 days after the effective date of the enactment, repeal, or change in the rate of the tax under Subsection (2)(a).

(ii) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may by rule define the term "catalogue sale."

(3)(a) Except as provided in Subsection (2)(c) or (d), if an annexation will result in the enactment or repeal of a tax under this part for an annexing area, the enactment or repeal shall take effect:

(i) on the first day of a calendar quarter; and

(ii) after a 90-day period beginning on the date the commission receives notice meeting the requirements of Subsection (3)(b) from the county that annexes the annexing area.

(b) The notice described in Subsection (3)(a)(ii) shall state:

(i) that the annexation described in Subsection (3)(a) will result in an enactment, repeal, or change in the rate of a tax under this part for the annexing area;

(ii) the statutory authority for the tax described in Subsection (3)(b)(i);

(iii) the effective date of the tax described in Subsection (3)(b)(i);
and
(iv) the rate of the tax described in Subsection (3)(b)(i).

2321 Section [[49]] 25 . Effective date.

Representative Alexander proposed the following substitute motion to amend:

4. Page 22, Lines 662 through 671

662 (5) ~~[[Notwithstanding]]~~ (a) Except as provided in Subsection (5)(b)
and notwithstanding the designated use of revenues in Subsection (1), of
the revenues

663 generated by the tax imposed under this section by any county ~~[[of~~
the first class]]:

664 ~~[[a]]~~ (i) 75% shall be allocated to fund a fixed guideway and
expanded public transportation

665 system; and

666 ~~[[b]]~~ (ii) 25% shall be allocated to fund new construction, major
renovations, and

667 improvements to Interstate 15 and state highways within the county
and to pay any debt service

668 and bond issuance costs related to those projects.

(b) The provisions of this Subsection (5) do not apply to revenues
generated by a county other than a county of the first class if the revenues,
on March 1, 2004, were pledged to secure the payment of a bond or other
obligation.

669 (6) A county ~~[[of the first class]]~~ may, through an interlocal
agreement, authorize the

670 deposit or transfer of the portion of the revenues described in
Subsection ~~[[5)(b)]]~~ (5)(a)(ii) to the Public

671 Transportation System Tax Highway Fund created in Section
72-2-121.

On motion of Representative Ure, the House voted to circle **H.B. 315**.

* * *

H.R. 11, ELIGIBILITY FOR INTERSCHOLASTIC ATHLETICS
RESOLUTION, read the third time by short title and placed on its final passage.

H.R. 11, as amended, then passed on the following roll call:

Yeas, 65; Nays, 10; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------------|-----------|--------|
| Bigelow | Biskupski | Donnelson | Gowans |
| Hansen | Hendrickson | King | Moss |
| Peterson | Philpot | | |

H.R. 11 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

H.B. 367, PARTICIPATION ALLOWED IN STATE EMPLOYEE INSURANCE SYSTEM, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **H.B. 367**.

* * *

Sub. H.B. 311, REDEVELOPMENT AGENCY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

- 1. Page 1, Lines 10 through 13

10 This bill:

* * * *Some lines not shown* * * *

13 ► adds definitions for attached housing~~[[, infrastructure improvements,]]~~ and school levy;

- 2. Page 4, Lines 103 through 108:

103 ~~[[(14) "Infrastructure improvements" means the construction, modification, or~~

104 ~~improvement of or additions to public facilities or utilities, including roads, sidewalks, curbs,~~

105 ~~gutters, landscaping, street lighting, benches and other pedestrian amenities, traffic control~~

106 ~~measures, bikeways, transit facilities, parking structures, sanitary and storm sewers, water~~

107 ~~utilities, electrical utilities, gas utilities, fiber optic utilities, cable utilities, and other facilities~~

108 ~~or utilities, that are owned by a public entity or public utility or are accessible to the public.]]~~

- 3. Page 22, Lines 653 through 656:

653 ~~(a) tax increment may not be used to pay costs associated with private retail or hotel~~

654 ~~development, except for costs associated with public infrastructure improvements; and~~

655 ~~(b) costs associated with developing housing within the same building as private retail or hotel~~

656 ~~development are not treated as costs associated with the private retail or hotel development.~~

- 4. Page 24, Lines 732 through 733:

732 (2) (a) ~~[[Each]]~~ Except as provided in Subsection (7), each agency shall use all housing funds ~~[allocated for housing under this~~

733 section] to:

5. Page 26, Lines 780 through 781:

780 (ii) may not award the agency its attorney’s fees, unless the court finds that the action

781 was frivolous.

(7) In addition to the uses under Subsection (2), housing funds that an agency receives under a project area plan adopted after June 30, 2004:

(a) may, with the approval of the taxing entity committee, be used for housing to be owned or occupied by a family whose annual income:

(i) is at or greater than 80% of the median annual income for the county in which the housing is located; and

(ii) does not exceed 120% of the median annual income for the county in which the housing is located;

(b) may not be used for housing to be owned or occupied by a family whose annual income exceeds 120% of the median annual income for the county in which the housing is located.

Representative D. Clark’s motion to amend passed on a voice vote.

Sub. H.B. 311, as amended, then passed on the following roll call:

Yeas, 46; Nays, 26; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|-----------|
| Aagard | Adams | S. Allen | Barrus |
| Becker | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dillree | Duckworth |
| Dunnigan | Ferry | Goodfellow | Hardy |
| Harper | Holdaway | E. Hutchings | Jones |
| King | Kiser | Last | Lawrence |
| Love | Mascaro | McGee | Morgan |
| Newbold | Pace | Peterson | Shurtliff |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|---------|--------|
| Alexander | Anderson | Bennion | Bryson |
| Bush | Buttars | Dayton | Dee |
| Donnelson | Dougall | Ferrin | Frank |

| | | | |
|------------|----------|-------------|--------|
| Gowans | Hansen | Hendrickson | Hogue |
| B. Johnson | Lockhart | McCartney | Morley |
| Murray | Noel | Philpot | Seitz |
| G. Snow | Thompson | | |

Absent or not voting were: Representatives
 Hughes Litvack Moss

Sub. H.B. 311, as amended, transmitted to the Senate for its consideration.

INTRODUCTION OF BILL

H.B. 330, Allocation of Tobacco Fund Amendments (D. Peterson), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to lift **H.B. 330** from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

H.B. 330, ALLOCATION OF TOBACCO FUND AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 2, Lines 34 and 39:
 Delete "2006" and insert "2005" on both lines.

Representative Bigelow's motion to amend passed on a voice vote.

H.B. 330, as amended, then passed on the following roll call:

Yeas, 68; Nays, 6; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |

| | | | |
|-----------|-----------|--------------|-------------|
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|--------|---------|-------|
| S. Allen | Becker | Daniels | Hogue |
| McGee | Moss | | |

Absent or not voting was: Representative
Dougall

H.B. 330, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 195, TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICE, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 195**.

* * *

3rd Sub. S.B. 26, PUBLIC SAFETY RETIREES' COST-OF-LIVING INCREASE, read the third time by short title and placed on its final passage.

On motion of Representative Bennion, the House voted to delete **3rd Sub. S.B. 26** in title and body and insert **4th Sub. S.B. 26** in lieu thereof.

4th Sub. S.B. 26, as amended, then passed on the following roll call:

Yeas, 70; Nays, 3; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | |
|--------|-------------|------------|
| Gowans | Hendrickson | B. Johnson |
|--------|-------------|------------|

Absent or not voting were: Representatives

| | |
|---------|----------|
| Bigelow | S. Clark |
|---------|----------|

4th Sub. S.B. 26, as amended, transmitted to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to lift the following bills from the House Third Reading Calendar and refer them back to the Rules Committee: **H.B. 132, H.B. 315, H.B. 367, H.B. 288, H.B. 101, and Sub. H.B. 109.**

RULES COMMITTEE REPORT

Mr. Speaker:

March 1, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- S.B. 162** Interstate Insurance Product Regulation – Compact
(Sen. J. Valentine)
- 1st Sub. S.B. 170** Public Transit District Amendments (Sen. J. Evans)
- 1st Sub. S.B. 202** Unemployment Insurance Amendments
(Sen. H. Stephenson)
- S.B. 237** Pioneer and Community Heritage Amendments
(Sen. L. Blackham)
- S.B. 49** Competency to Be Executed – Amendments
(Sen. D. Gladwell)
- S.B. 81** Child and Family Services – Plea in Abeyance
(Sen. P. Hellewell)
- 1st Sub. S.B. 66** Telecommunications Amendments (Sen. J. Hickman)
- 1st Sub. S.B. 89** Contractor Licensing Amendments (Sen. P. Hellewell)
- S.B. 157** Authorization to Perform Marriages (Sen. C. Walker)
- S.B. 158** Criminal Offense Amendments (Sen. G. Bell)
- 1st Sub. S.B. 163** Property Tax – Confidentiality of Certain Information
(Sen. H. Stephenson)
- S.B. 225** Uninsured and Underinsured Motorist Coverage
(Sen. D. Eastman)
- 1st Sub. S.B. 178** Mortgage Broker Amendments (Sen. M. Waddoups)
- S.B. 206** Property Tax Amendments (Sen. H. Stephenson)
- S.B. 232** Standard of Care for Emergency Vehicle Drivers
(Sen. L. Blackham)
- 1st Sub. S.B. 173** Bail Bond Reinstatement Amendments (Sen. G. Bell)
- 2nd Sub. S.B. 215** County Powers Amendments (Sen. D. Gladwell)
- S.B. 159** Annexation of Public Land to Special and Local Districts
(Sen. M. Dmitrich)
- 1st Sub. S.C.R. 2** Resolution Regarding Construction of Waste Facility
(Sen. B. Wright)
- 2nd Sub. S.B. 60** Sports Development and Tourism, Recreation, Cultural,
Convention, and Sports Facilities Tax Amendments
(Sen. M. Waddoups)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until March 2, 2004, at 8:00 a.m.

FORTY-FOURTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 8:10 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Ben C. Ferry.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2004
The Senate passed, as amended, **H.B. 273**, TAX AND CHARGE AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 273**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 1, 2004
The President of the Senate has signed **1st Sub. H.B. 28**, TRANSPORTATION PLANNING TASK FORCE REAUTHORIZATION, by Representative R. Lockhart, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. H.B. 28** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Ferrin, the House voted to concur in the Senate amendments to **Sub. H.B. 245**, INSURANCE LAW REVISIONS.

Sub. H.B. 245, as amended by the Senate, then passed on the following roll call:

Yeas, 55; Nays, 1; Absent or not voting, 19.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Bigelow | Bird | Biskupski |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | D. Cox |
| Curtis | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Harper | Hendrickson |
| Holdaway | B. Johnson | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | McGee | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative

Hogue

Absent or not voting were: Representatives

| | | | |
|-------------|--------------|---------|-----------|
| Barrus | Becker | Bennion | Bourdeaux |
| Christensen | S. Clark | Daniels | Dougall |
| Hughes | E. Hutchings | Jones | Mascaro |
| McCartney | Morgan | Newbold | Philpot |
| G. Snow | Styler | Ure | |

Sub. H.B. 245, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Bennion, the House voted to concur in the Senate amendments to **H.B. 218**, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION.

H.B. 218, as amended by the Senate, then passed on the following roll call:

Yeas, 59; Nays, 1; Absent or not voting, 15.

Voting in the affirmative were: Representatives

| | | | |
|----------|---------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Bennion | Bigelow | Bird |

| | | | |
|------------|-------------|-------------|------------|
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | B. Johnson |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morley | Moss | Murray |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|----------|-----------|-----------|--------------|
| Barrus | Becker | Bourdeaux | Christensen |
| S. Clark | Dougall | Hughes | E. Hutchings |
| Jones | McCartney | Morgan | Newbold |
| Philpot | Styler | Ure | |

H.B. 218, as amended by the Senate, transmitted to the Senate for signature of the president.

CONSENT CALENDAR

S.B. 200, LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS, read the third time by short title and placed on its final passage.

S.B. 200 then passed on the following roll call:

Yeas, 59; Nays, 3; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bennion | Bigelow |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Duckworth |

| | | | |
|-------------|----------|-------------|------------|
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morley | Moss | Murray |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | |
|------|---------|-------|
| Bird | Daniels | Hogue |
|------|---------|-------|

Absent or not voting were: Representatives

| | | | |
|--------|-------------|--------------|-----------|
| Barrus | Christensen | S. Clark | Dougall |
| Ferrin | Hughes | E. Hutchings | McCartney |
| Morgan | Newbold | Philpot | Styler |
| Ure | | | |

S.B. 200 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 52, INSURANCE AMENDMENTS – LOSS HISTORIES AND INQUIRIES, read the third time by short title and placed on its final passage.

S.B. 52 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |

| | | | |
|-----------|--------------|-------------|----------|
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morley | Moss | Murray |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|----------|-----------|--------|---------|
| S. Clark | McCartney | Morgan | Newbold |
| Philpot | Styler | Ure | |

S.B. 52 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Seitz, the House voted to uncircle **Sub. S.B. 29**.

Sub. S.B. 29, ACCESS TO RURAL HEALTH CARE PROVIDERS, was before the House on its final passage.

Sub. S.B. 29 then passed on the following roll call:

Yeas, 66; Nays, 1; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morley |

| | | | |
|----------|-------------|-----------|---------|
| Moss | Murray | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|----------|----------|---------|-----------|
| S. Allen | S. Clark | Dayton | McCartney |
| Morgan | Newbold | Philpot | Ure |

Sub. S.B. 29 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

Sub. S.B. 250, CLASS ACTION S RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **Sub. S.B. 250**.

* * *

S.B. 107, ADVANCED PRACTICE REGISTERED NURSE MODIFICATIONS, read the third time by short title and placed on its final passage.

S.B. 107 then passed on the following roll call:

Yeas, 64; Nays, 1; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|----------|--------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buxton | Christensen |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Holdaway | Hughes | E. Hutchings |

| | | | |
|------------|----------|----------|-------------|
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|-----------|----------|---------|-----------|
| Alexander | S. Allen | Buttars | D. Clark |
| S. Clark | Curtis | Harper | McCartney |
| Philpot | Ure | | |

S.B. 107 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 179, EXPEDITED APPEALS IN CHILD WELFARE CASES, read the third time by short title and placed on its final passage.

Sub. S.B. 179 then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|--------------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |

| | | | |
|-------------|----------|----------|----------|
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|-----------|---------|----------|-----------|
| Alexander | Buttars | S. Clark | McCartney |
| Philpot | | | |

Sub. S.B. 179 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 5, EMPLOYMENT SECURITY MODIFICATIONS, read the third time by short title and placed on its final passage.

S.B. 5 then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | M. Stephens | | |

| | | | |
|---------|------------|-------------|----------|
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Hughes | B. Johnson | Kiser | Lawrence |
| Love | Morley | Murray | Noel |
| Pace | Peterson | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Becker | Biskupski | Bourdeaux | Buffmire |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | E. Hutchings | Jones | King |
| Last | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Newbold |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | |
|----------|----------|---------|
| S. Clark | Lockhart | Philpot |
|----------|----------|---------|

S.B. 33, as amended, then passed on the following roll call:

Yeas, 55; Nays, 15; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bird | Biskupski |
| Bourdeaux | Bowman | Buffmire | Bush |
| Buttars | Buxton | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Duckworth | Dunnigan | Ferrin | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Seitz | Shurtliff | Thompson |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|----------|-------------|
| Adams | Alexander | Bryson | Christensen |
| D. Clark | Donnelson | Ferry | Hogue |
| Last | Morley | Peterson | G. Snow |
| Styler | Ure | Urquhart | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|---------|----------|
| Bigelow | S. Clark | Dougall | Lockhart |
| Philpot | | | |

S.B. 33, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 155, COUNTY MENTAL HEALTH AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Seitz, the House voted to delete **S.B. 155** in title and body and insert **Sub. S.B. 155** in lieu thereof.

On motion of Representative Seitz, the House voted to circle **Sub. S.B. 155**.

* * *

2nd Sub. S.B. 175, PROTECTION OF PRIVATE LAWFULLY OBTAINED PROPERTY, read the third time by short title and placed on its final passage.

Representative Daniels proposed the following amendment:

1. Page 9, Line 272
House Committee Amendments
2-25-2004

272 (a) is criminally responsible for the conduct giving rise to the forfeiture subject to Subsection (4) ;

2. Page 10, Line 277:

277 (d) acquired the property ~~[[with reason to believe]]~~ knowing the property was subject to forfeiture

3. Page 10, Line 300:

300 or by operation of law.]

(4) If the state relies on Subsection (2)(a) to establish that a person is not

an innocent owner or interest holder, and if the owner or the interest holder is criminally charged with the conduct giving rise to the forfeiture and is acquitted of that charge on the merits:

(a) the property subject to the forfeiture or the value of the property, if the property has been disposed of under Subsection 24-1-7(15), shall be returned to the owner or interest holder; and

(b) any payments required under this chapter regarding holding the property shall be paid to the owner or interest holder.

4. Page 10, Line 301 through Page 11, Line 310:

301 [~~(6)~~] [~~(4)~~] (5) No owner may assert, under this [paragraph] section, an ownership interest in

** * * Some lines not shown * * **

303 [~~(5)~~] (6) Property is presumed to be subject to forfeiture under this chapter if the prosecuting

** * * Some lines not shown * * **

310 [~~(6)~~] (7) A finding that property is the proceeds of conduct giving cause for forfeiture does

Representative Daniels’ motion to amend passed on a voice vote.

2nd Sub. S.B. 175, as amended, then passed on the following roll call:

Yeas, 46; Nays, 27; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Ferry | Goodfellow | Gowans | Hansen |
| Hendrickson | Jones | King | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|---------|-----------|---------|
| Alexander | Bennion | Bird | Bryson |
| Christensen | Dayton | Donnelson | Dougall |

| | | | |
|-----------|--------------|-------------|----------|
| Duckworth | Dunnigan | Ferrin | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Lockhart | Morley | Newbold | Philpot |
| Thompson | Ure | M. Stephens | |

Absent or not voting were: Representatives

Bigelow Styler

2nd Sub. S.B. 175, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to lift **S.B. 141**, NEW JUDGE – SECOND DISTRICT COURT, from the Rules Committee and place it at the top of the calendar for third reading.

* * *

On motion of Representative Alexander, the House voted to allow a bill file be opened concerning merit status of certain employees.

* * *

On motion of Representative Alexander, the House voted to recess until 10:20 a.m.

Speaker Pro Tem Alexander called the House to order at 10:25 a.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004

The Senate passed, as amended, **S.B. 192**, LOAN TRANSACTIONS AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 192**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: March 2, 2004

The Senate concurred in the House amendments and passed **S.B. 58**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator J. Valentine, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 47**, UNIFORM TRUST CODE, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 185**, PUBLIC EDUCATION AMENDMENTS, by Senator T. Hatch, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 183**, LOCAL GOVERNMENTS – AUTHORITY FOR DESIGN-BUILD CONSTRUCTION, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 128**, LONG-TERM CARE FACILITIES AMENDMENTS, by Senator L. Blackham, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 91**, EMERGENCY MEDICAL SERVICE PROVIDER AMENDMENTS, by Senator S. Jenkins, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 131**, UNIFORM PRINCIPAL AND INCOME ACT, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 240**, MOTION PICTURE TASK FORCE, by Senator R. Allen, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 58, 2nd Sub. S.B. 47, Sub. S.B. 185, S.B. 183, Sub. S.B. 128, S.B. 91, Sub. S.B. 131, and S.B. 240** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 2, 2004

The Senate passed, **H.B. 79**, RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE, by Representative C. Duckworth, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 40**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative C. Frank, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 88**, STATE LAND USE MANAGEMENT PLANS, by Representative B. Johnson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 218**, PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION, by Representative C. Bennion, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 245**, INSURANCE LAW REVISIONS, by Representative J. Ferrin, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 79, 2nd Sub. H.B. 40, Sub. H.B. 88, H.B. 218,** and **Sub. H.B. 245** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: March 2, 2004

The Senate passed, as amended, **H.B. 121**, CODE OF CRIMINAL PROCEDURE AMENDMENTS, by Representative J. Seitz, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 121**, placed on the calendar for concurrence.

CONCURRENCE CALENDAR

On motion of Representative Ure, the House voted to concur in the Senate amendments to **Sub. H.B. 226**, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS.

Sub. H.B. 226, as amended by the Senate, then passed on the following roll call:

Yeas, 62; Nays, 7; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |

| | | | |
|-------------|------------|-------------|----------|
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Philpot | Seitz |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|--------|-----------|------------|-------|
| Becker | Buffmire | Goodfellow | Hogue |
| King | McCartney | Shurtliff | |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|--------------|------|
| Dougall | Frank | E. Hutchings | Noel |
| Urquhart | M. Stephens | | |

Sub. H.B. 226, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

S.B. 141, NEW JUDGE – SECOND DISTRICT COURT, read the third time by short title and placed on its final passage.

S.B. 141 then passed on the following roll call:

Yeas, 61; Nays, 8; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Ferrin |

| | | | |
|-----------|--------------|-------------|-----------|
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Ure | Wallace |
| Webb | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|--------|----------|
| Alexander | Bird | Frank | Hogue |
| Morley | Philpot | Styler | Thompson |

Absent or not voting were: Representatives

| | | | |
|----------|-------------|------------|------|
| Dayton | Dunnigan | B. Johnson | Moss |
| Urquhart | M. Stephens | | |

S.B. 141 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Seitz, the House voted to uncircle **Sub. S.B. 155**.

Sub. S.B. 155, COUNTY MENTAL HEALTH AMENDMENTS, was before the House on its final passage.

Sub. S.B. 155, as amended, then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |

| | | | |
|--------------|-------------|----------|-----------|
| Harper | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives Bryson Dougall M. Stephens

Sub. S.B. 155, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

Sub. S.B. 196, COURT FEE ADJUSTMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **Sub. S.B. 196**.

* * *

S.B. 162, INTERSTATE INSURANCE PRODUCT REGULATION – COMPACT, read the third time by short title and placed on its final passage.

S.B. 162 then passed on the following roll call:

Yeas, 66; Nays, 2; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|----------|---------|
| Agard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |

| | | | |
|--------------|------------|-----------|-----------|
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

Alexander Hogue

Absent or not voting were: Representatives

| | | | |
|----------|--------|-------------|-------|
| S. Allen | Curtis | Dougall | Frank |
| Harper | Morley | M. Stephens | |

S.B. 162 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 170, PUBLIC TRANSIT DISTRICT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **Sub. S.B. 170**.

* * *

Sub. S.B. 202, UNEMPLOYMENT INSURANCE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

1. Page 9, Lines 267–269:
Delete lines 267 through 269.

Representative Litvack’s motion to amend failed on a voice vote.

Sub. S.B. 202 then passed on the following roll call:

Yeas, 64; Nays, 7; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |

| | | | |
|----------|-----------|--------------|-------------|
| Bird | Biskupski | Bowman | Bryson |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hardy | Harper | Hendrickson |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------|----------|---------|-----------|
| Becker | Buffmire | Daniels | Duckworth |
| Hansen | Hogue | Litvack | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|-------|----------|
| Bourdeaux | Christensen | Frank | Lockhart |
|-----------|-------------|-------|----------|

Sub. S.B. 202 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **S.B. 62**.

S.B. 62, STAY OF EXECUTION AMENDMENTS, was before the House on its final passage.

S.B. 62 then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |

| | | | |
|-------------|-------------|-----------|--------------|
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative
Hogue

Absent or not voting were: Representatives
Bourdeaux Dillree Hughes Morgan
Morley

S.B. 62 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 237, PIONEER AND COMMUNITY HERITAGE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 237 then passed on the following roll call:

Yeas, 67; Nays, 3; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |

| | | | |
|------------|-------------|-------------|--------------|
| Hardy | Hendrickson | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | |
|--------|-------|---------|
| Harper | Hogue | Philpot |
|--------|-------|---------|

Absent or not voting were: Representatives

| | | | |
|-----------|--------|----------|--------|
| Bourdeaux | Hughes | Lockhart | Morley |
| Ure | | | |

S.B. 237 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 49, COMPETENCY TO BE EXECUTED – AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **S.B. 49**.

* * *

S.B. 81, CHILD AND FAMILY SERVICES – PLEA IN ABEYANCE, read the third time by short title and placed on its final passage.

S.B. 81 then passed on the following roll call:

Yeas, 69; Nays, 3; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|-----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |

| | | | |
|-------------|-----------|--------------|------------|
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | |
|-----------|---------|-------|
| Alexander | Bennion | Hogue |
|-----------|---------|-------|

Absent or not voting were: Representatives

| | | |
|-----------|--------|--------|
| Bourdeaux | Hughes | Morley |
|-----------|--------|--------|

S.B. 81 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 66, TELECOMMUNICATIONS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to circle **Sub. S.B. 66**.

On motion of Representative Urquhart, the House voted to uncircle **Sub. S.B. 66**.

On motion of Representative Urquhart, the House voted to set **Sub. S.B. 66** for Time Certain today at 3:00 p.m.

THIRD READING CALENDAR

Sub. S.B. 89, CONTRACTOR LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 89 then passed on the following roll call:

Yeas, 65; Nays, 4; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hardy | Harper | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|--------|--------|-------------|-------|
| Gowans | Hansen | Hendrickson | Hogue |
|--------|--------|-------------|-------|

Absent or not voting were: Representatives

| | | | |
|---------|-----------|--------|----------|
| Bigelow | Bourdeaux | Hughes | Lockhart |
| Noel | Ure | | |

Sub. S.B. 89 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 157, AUTHORIZATION TO PERFORM MARRIAGES, read the third time by short title and placed on its final passage.

Representative Hansen's motion to substitute **S.B. 157** in title and body and insert **Sub. S.B. 157** in lieu thereof failed to pass on the following roll call:

Yeas, 19; Nays, 45; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|----------|---------|-----------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Daniels | Duckworth | Ferrin |

| | | | |
|------------|--------|-----------|-------------|
| Goodfellow | Gowans | Hansen | Hendrickson |
| Jones | King | Litvack | McCartney |
| McGee | Moss | Shurtliff | |

Voting in the negative were: Representatives

| | | | |
|--------------|-------------|----------|----------|
| Aagard | Adams | Barrus | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Dunnigan | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Ure | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|---------|
| Alexander | S. Allen | Bennion | Bigelow |
| Curtis | Dougall | Ferry | Mascaro |
| Morgan | Thompson | Urquhart | |

S.B. 157 then passed on the following roll call:

Yeas, 45; Nays, 26; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|--------------|-------------|
| Aagard | Adams | S. Allen | Barrus |
| Bigelow | Bird | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferry | Frank | Hardy |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Kiser | Last | Lawrence | Lockhart |
| Love | Morley | Murray | Newbold |
| Noel | Pace | Peterson | Seitz |
| G. Snow | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|--------|-----------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Curtis | Daniels | Duckworth |

| | | | |
|--------|-------------|-----------|-----------|
| Ferrin | Goodfellow | Gowans | Hansen |
| Harper | Hendrickson | Hogue | Jones |
| King | Litvack | McCartney | McGee |
| Morgan | Moss | Philpot | Shurtliff |
| Styler | Ure | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|---------|----------|
| Alexander | Bennion | Mascaro | Thompson |
|-----------|---------|---------|----------|

S.B. 157 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

RULES COMMITTEE REPORT

Mr. Speaker:

March 2, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

| | |
|--------------------------|--|
| S.B. 104 | Selection of Mental Health Therapist in Termination of Parental Rights (Sen. P. Hellewell) |
| S.B. 194 | Plumbing Apprentice Amendments (Sen. P. Hellewell) |
| S.B. 201 | Punitive Damages Amendments (Sen. L. Hillyard) |
| 1st Sub. S.B. 214 | Prohibition of Obesity Lawsuits (Sen. H. Stephenson) |
| 2nd Sub. S.B. 233 | Airport Security Amendments (Sen. J. Evans) |
| S.B. 234 | State Fair Park Leasing Agreements (Sen. J. Evans) |
| 3rd Sub. S.B. 239 | Unfair Business Practices (Sen. M. Dmitrich) |
| S.B. 192 | Loan Transactions Amendments (Sen. M. Waddoups) |
| S.B. 208 | Funding for Tourism (Sen. P. Knudson) |
| S.B. 224 | Homeless Coordinating Committee (Sen. K. Hale) |

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 2, 2004

The Senate substituted and passed, **Senate 3rd Sub. H.B. 66**, STATE SPENDING LIMITATIONS AMENDMENTS, by Representative G. Hughes, et al, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 100**, SCHOOL PROFESSIONAL DEVELOPMENT DAYS, by Representative B. Last, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 106**, HEALTH INSURANCE ACT AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 2nd Sub. H.B. 111**, LOCAL GOVERNMENT AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 6th Sub. H.B. 136**, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS, by Representative M. Morley, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 182**, CONSTRUCTION LIEN AMENDMENTS, by Representative S. Clark, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 215**, BUILDING STANDARDS AMENDMENTS, by Representative J. S. Adams, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 219**, CONSTRUCTION BOND AMENDMENTS, by Representative M. Morley, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.C.R. 1**, RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL, by Representative T. Kiser, and it is transmitted for further consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **Senate 3rd Sub. H.B. 66**, **Sub. H.B. 100**, **H.B. 106**, **Senate 2nd Sub. H.B. 111**, **Senate 6th Sub. H.B. 136**, **Sub. H.B. 182**, **Sub. H.B. 215**, **H.B. 219**, and **H.C.R. 1**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 2, 2004

The Senate concurred in the House amendments and passed **S.B. 249**, DEFINING PRACTICE OF CHIROPRACTIC PHYSICIAN, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 249** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 2, 2004

The Senate passed, **1st Sub. H.B. 22**, CIVIC AND CHARACTER EDUCATION IN SCHOOLS, by Representative L. Christensen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 126**, TEACHER CLASSIFICATIONS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 146**, COUNTY COOPERATIVE AGREEMENTS WITH STATE FOR FIRE PROTECTION, by Representative C. Buttars, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 195**, CONSUMER PROTECTION AMENDMENTS, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 197**, LIMIT ON CHILD WELFARE RECOMMENDATIONS AND RULINGS, by Representative M. Thompson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 199**, DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 205**, STATE SETTLEMENT AGREEMENTS AMENDMENTS, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 217**, CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 226**, LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS, by Representative D. Ure, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 238**, WORKERS' COMPENSATION ACCESS TO MEDICAL RECORDS, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 240**, REVENUE AND TAXATION – OFFENSES AND PENALTIES, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 256**, EXPANSION OF ECONOMIC DEVELOPMENT WEBPAGE, by Representative S. Allen, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 293**, REPEAL OF NATIONAL GUARD EFFICIENCY BOARDS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 16**, RESOLUTION AMENDING RULES OF CIVIL PROCEDURE – JUDGMENT, by Representative G. Curtis, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **Sub. H.B. 22, H.B. 126, H.B. 146, Sub. H.B. 195, H.B. 197, Sub. H.B. 199, H.B. 205, Sub. H.B. 217, Sub. H.B. 226, H.B. 238, H.B. 240, H.B. 256, H.B. 293, and H.J.R. 16** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle **S.B. 195**.

S.B. 195, TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICES, was before the House on its final passage.

S.B. 195 then passed on the following roll call:

Yeas, 44; Nays, 26; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|----------|------------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Ferrin | Frank | Goodfellow | Hardy |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| McCartney | Moss | Newbold | Noel |
| Pace | Seitz | Shurtliff | Styler |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-------------|-----------|
| Anderson | Barrus | Bennion | Bush |
| Buttars | Buxton | Christensen | Curtis |
| Dayton | Donnelson | Dougall | Duckworth |
| Ferry | Gowans | Hansen | Harper |
| Hendrickson | Jones | Litvack | McGee |
| Morgan | Morley | Murray | Philpot |
| Thompson | Ure | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|----------|----------|
| Becker | Bryson | Dunnigan | Peterson |
| G. Snow | | | |

S.B. 195 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Dee, the House voted to uncircle **Sub. S.B. 196**.

Sub. S.B. 196, COURT FEE ADJUSTMENTS, was before the House on its final passage.

Representative Ure proposed the following amendment:

1. Page 2, Line 31:
After line 31 insert:
“10–8–58, as last amended by Chapter 195, Laws of Utah 2001”

2. Page 2, Line 38:

After line 38 insert:

Section 1. Section 10-8-58 is amended to read:

10-8-58. Jails and workhouses -- Establishment and maintenance.

The governing body of a city or town may:

(1) establish, erect, and maintain city jails, houses of correction, and workhouses for the temporary confinement, not to exceed 72 hours, of persons convicted of violating any city ordinances;

(2) make rules for the government of them;

(3) appoint necessary jailers and keepers; and

(4) use the county jail for the confinement or punishment of offenders ~~[, subject to any conditions that are imposed by law, and with the consent of]~~ without cost unless the governing body voluntarily consents to share jail expenses under written agreement with the county legislative body.

Renumber remaining sections accordingly.

3. Page 3, Lines 84 through 86

84 (3) The security surcharge shall be allocated as follows:

85 (a) the assessing court shall ~~[[be authorized to]]~~ retain 20% of the amount collected for deposit into the general fund of the sponsoring governmental entity ; and

86 (b) 80% shall be remitted to the state treasurer to be distributed as follows:

Representative Ure’s motion to amend failed on the following roll call:

Yeas, 33; Nays, 36; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|----------|--------------|
| Barrus | Becker | Bennion | Bird |
| Bourdeaux | Buffmire | Bush | Christensen |
| D. Clark | S. Clark | Dayton | Dillree |
| Donnelson | Dunnigan | Ferrin | Hardy |
| Harper | Holdaway | Hughes | E. Hutchings |
| Kiser | Last | Lockhart | Love |
| Morley | Moss | Newbold | Peterson |
| Philpot | G. Snow | Thompson | Ure |
| Urquhart | | | |

Voting in the negative were: Representatives

| | | | |
|------------|------------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Biskupski | Bowman | Buttars |
| Buxton | D. Cox | Curtis | Daniels |
| Dee | Dougall | Duckworth | Ferry |
| Goodfellow | Gowans | Hansen | Hendrickson |
| Hogue | B. Johnson | Jones | King |
| Lawrence | Litvack | McCartney | Murray |
| Noel | Pace | Seitz | Shurtliff |
| Styler | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|--------|-------|---------|
| Bigelow | Bryson | Frank | Mascaro |
| McGee | Morgan | | |

Sub. S.B. 196 then failed to pass on the following roll call:

Yeas, 30; Nays, 41; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|---------|-------------|--------------|
| Aagard | Bennion | Biskupski | Bowman |
| Buttars | Buxton | D. Cox | Curtis |
| Daniels | Dee | Dillree | Duckworth |
| Gowans | Hansen | Hendrickson | E. Hutchings |
| B. Johnson | Jones | King | Mascaro |
| McCartney | Moss | Murray | Noel |
| Pace | Seitz | Shurtliff | Styler |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|----------|-------------|
| Adams | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Buffmire | Bush | Christensen |
| D. Clark | S. Clark | Dayton | Donnelson |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hardy | Harper | Hogue |
| Holdaway | Hughes | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Morgan | Morley | Newbold | Peterson |
| G. Snow | Thompson | Ure | Urquhart |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|-------|---------|
| Bryson | Dougall | McGee | Philpot |
|--------|---------|-------|---------|

Sub. S.B. 196 returned to the Senate for filing.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to reconsider its action on **S.B. 195**.

RECONSIDERATION OF S.B. 195

S.B. 195, TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICE, was before the House upon its final passage.

Representative Styler proposed the following amendment:

- 1. Page 30, Lines 905 through 906

905 (iii) consumed; ~~[[and]]~~

906 (m) amounts paid or charged for prepaid telephone calling cards~~;~~~~[[]]~~ and

- 2. Page 53, Line 1635:

1635 (1) collect the tax imposed by Section 59-26-103 from the purchaser; and

Representative Styler’s motion to amend passed on a voice vote.

S.B. 195, as amended, then passed on the following roll call:

Yeas, 42; Nays, 28; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Buxton | D. Clark |
| S. Clark | D. Cox | Daniels | Dee |
| Dillree | Ferrin | Frank | Goodfellow |
| Hardy | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Kiser |
| Last | Lawrence | Lockhart | Mascaro |
| Newbold | Noel | Pace | Seitz |
| Shurtliff | Styler | Thompson | Urquhart |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|-------------|-------------|
| Anderson | Barrus | Becker | Bennion |
| Bryson | Bush | Buttars | Christensen |
| Curtis | Dayton | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferry | Gowans |
| Hansen | Harper | Hendrickson | Jones |
| Litvack | Love | Morgan | Moss |
| Murray | Peterson | G. Snow | Ure |

Absent or not voting were: Representatives

| | | | |
|-----------|-------|--------|---------|
| McCartney | McGee | Morley | Philpot |
| Wallace | | | |

S.B. 195, as amended, returned to the Senate for further consideration.

SPECIAL ORDER OF BUSINESS

Sub. S.B. 66, TELECOMMUNICATIONS AMENDMENTS, was before the House upon its final passage.

Representative Bennion proposed the following amendment:

1. Page 3, Lines 79a–79b:
House Committee Amendments 2–25–2004:
Delete lines 79a and 79b.

Representative Adams proposed the following substitute motion to amend:

1. Page 3, Line 79c
House Committee Amendments
2–26–2004

79c (A) NOTWITHSTANDING SUBSECTION 11–14–2(2) and except as provided in Subsections (4) and (5), THE REVENUE BOND IS APPROVED BY

2. Page 3a, Line 82
House Committee Amendments
2–26–2004:

82 or other enterprise funds of the municipality.
(4)(a) As used in this Subsection (4), “municipal entity” means an entity created pursuant to an agreement:
(i) under Title 11, Chapter 13, Interlocal Cooperation Act; and

(ii) to which a municipality is a party.

(b) The requirements of Subsection (3)(a)(ii)(A) do not apply to a municipality or municipal entity that issues revenue bonds, or to a municipality that is a member of a municipal entity that issues revenue bonds, if:

(i) on or before March 2, 2004, the municipality that is issuing revenue bonds or that is a member of a municipal entity that is issuing revenue bonds has published the notice described in Subsection (4)(b)(iii);

(ii) on or before April 15, 2004, the municipality that is issuing revenue bonds or that is a member of a municipal entity that is issuing revenue bonds makes the decision to pledge the revenues described in Subsection (3)(a)(ii) as security for the revenue bonds described in this Subsection (4)(b)(iii);

(iii) the municipality that is issuing the revenue bonds or the municipality that is a member of the municipal entity that is issuing the revenue bonds has:

(A) held a public hearing for which public notice was given by publication of the notice in a newspaper published in the municipality or in a newspaper of general circulation within the municipality for two consecutive weeks, with the first publication being not less than 14 days before the public hearing; and

(B) the notice identifies:

(I) that the notice is given pursuant to Title 11, Chapter 14, Utah Municipal Bond Act;

(II) the purpose for the bonds to be issued;

(III) the maximum amount of the revenues described in Subsection (3)(a)(ii) that will be pledged in any fiscal year;

(IV) the maximum number of years that the pledge will be in effect; and

(V) the time, place, and location for the public hearing; and

(iv) except with respect to a municipality that issued bonds prior to March 1, 2004, not more than 50% of the average annual debt service of all revenue bonds described in this section to provide service throughout the municipality or municipal entity may be paid from the revenues described in Subsection (3)(a)(ii).

(5) On or after July 1, 2007, the requirements of Subsection (3)(a)(ii)(A) do not apply to a municipality that issues revenue bonds if:

(a) the municipality that is issuing the revenue bonds has:

(i) held a public hearing for which public notice was given by

publication of the notice in a newspaper published in the municipality or in a newspaper of general circulation within the municipality for two consecutive weeks, with the first publication being not less than 14 days before the public hearing; and

(ii) the notice identifies:

(A) that the notice is given pursuant to Title 11, Chapter 14, Utah Municipal Bond Act;

(B) the purpose for the bonds to be issued;

(C) the maximum amount of the revenues described in Subsection (3)(a)(ii) that will be pledged in any fiscal year;

(D) the maximum number of years that the pledge will be in effect; and

(E) the time, place, and location for the public hearing; and

(b) except with respect to a municipality that issued bonds prior to March 1, 2004, not more than 50% of the average annual debt service of all revenue bonds described in this section to provide service throughout the municipality or municipal entity may be paid from the revenues described in Subsection (3)(a)(ii).

(6) A municipality that issues bonds pursuant to this section may not make or grant any undue or unreasonable preference or advantage to itself or to any private provider of:

(a) cable television services; or

(b) public telecommunications services.

Representative Adams' substitute motion to amend passed on the following roll call:

Yeas, 46; Nays, 28; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Dillree | Ferrin |
| Ferry | Frank | Goodfellow | Hardy |
| Hendrickson | Holdaway | E. Hutchings | Jones |
| King | Litvack | Love | Mascaro |
| McGee | Morgan | Moss | Murray |
| Pace | Philpot | Shurtliff | Ure |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|----------|-----------|
| Biskupski | Bourdeaux | D. Clark | Donnelson |
| Dougall | Duckworth | Dunnigan | Gowans |
| Hansen | Harper | Hogue | Hughes |
| B. Johnson | Kiser | Last | Lawrence |
| Lockhart | McCartney | Morley | Newbold |
| Noel | Peterson | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Wallace |

Absent or not voting was: Representative

Curtis

Representative Allen declared a conflict of interest because of employment.

Sub. S.B. 66, as amended, then passed on the following roll call:

Yeas, 52; Nays, 23; Absent or not voting, 0.

Voting in the affirmative were: Representatives

| | | | |
|------------|-----------|-----------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bourdeaux | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | D. Cox | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferry |
| Gowans | Hansen | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | Morley |
| Moss | Noel | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|------------|-------------|
| Anderson | Becker | Bigelow | Bird |
| Biskupski | Bowman | Bryson | S. Clark |
| Curtis | Daniels | Dayton | Dougall |
| Ferrin | Frank | Goodfellow | Hendrickson |
| McGee | Morgan | Murray | Newbold |
| Pace | Thompson | Webb | |

Sub. S.B. 66, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Webb, the House voted to lift **S.B. 116**, COUNTY RECORDER AMENDMENTS, from the Third Reading Calendar and refer it to the Rules Committee.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **S.B. 93**.

S.B. 93, TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to circle **S.B. 93**.

THIRD READING CALENDAR

S.B. 158, CRIMINAL OFFENSE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 158 then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-------------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives Alexander Bird Bourdeaux

S.B. 158 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 4:05 p.m.
Speaker Stephens called the House to order at 4:15 p.m.

THIRD READING CALENDAR

Sub. S.B. 163, PROPERTY TAX – CONFIDENTIALITY OF CERTAIN INFORMATION, read the third time by short title and placed on its final passage.

Sub. S.B. 163 then passed on the following roll call:

Yeas, 55; Nays, 9; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-------------|-------------|
| Aagard | Alexander | Anderson | Barrus |
| Bennion | Bigelow | Bird | Biskupski |
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Dayton |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Thompson | Urquhart | Wallace | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|------|
| Becker | Curtis | Daniels | Dee |
| Hogue | McCartney | Shurtliff | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------|--------------|------------|------------|
| Adams | S. Allen | Dougall | Goodfellow |
| Gowans | E. Hutchings | B. Johnson | Morgan |
| Noel | Styler | Ure | |

Sub. S.B. 163 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 225, UNINSURED AND UNDERINSURED MOTORIST COVERAGE, read the third time by short title and placed on its final passage.

S.B. 225 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Thompson |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative

Hogue

Absent or not voting were: Representatives

| | | | |
|--------|-------|----------|---------|
| Adams | McGee | Noel | Philpot |
| Styler | Ure | Urquhart | |

S.B. 225 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to refuse to concur with the Senate amendments to **H.B. 273, TAX AND CHARGE AMENDMENTS**, and to request the Senate to recede from its amendments.

* * *

On motion of Representative Seitz, the House voted to concur in the Senate amendments to **H.B. 121, CODE OF CRIMINAL PROCEDURE AMENDMENTS**.

H.B. 121, as amended by the Senate, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|------------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Pace | Peterson | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------|---------|---------|---------|
| Adams | Curtis | Dougall | Newbold |
| Noel | Philpot | | |

H.B. 121, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 66**, STATE SPENDING AND DEBT LIMITATIONS AMENDMENTS.

On motion of Representative Hughes, under suspension of the rules, the House voted to consider **3rd Sub. H.B. 66** read the first, second, and third times by short title.

3rd Sub. H.B. 66, as amended by the Senate, then passed on the following roll call:

Yeas, 48; Nays, 17; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|----------|-----------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Dayton | Dee | Dillree | Donnelson |
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | Morgan |
| Morley | Murray | Newbold | Peterson |
| Seitz | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|------------|----------|
| Anderson | Bird | Biskupski | Buffmire |
| Daniels | Duckworth | Goodfellow | Hansen |
| Hendrickson | Jones | King | Litvack |
| McCartney | McGee | Moss | Pace |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------------|------------|---------|
| Bennion | Bigelow | Curtis | Dougall |
| Gowans | E. Hutchings | B. Johnson | Noel |
| Philpot | Ure | | |

3rd Sub. H.B. 66, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Last, the House voted to concur in the Senate amendments to **Sub. H.B. 100**, SCHOOL PROFESSIONAL DEVELOPMENT DAYS.

Sub. H.B. 100, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 19; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|-----------|--------------|
| Adams | Alexander | S. Allen | Barrus |
| Becker | Bigelow | Bird | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | Dayton |
| Dee | Dillree | Donnelson | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morley | Murray | Newbold |
| Pace | Peterson | Seitz | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-------------|------------|-----------|-----------|
| Aagard | Anderson | Biskupski | Bourdeaux |
| Buffmire | D. Cox | Daniels | Dougall |
| Duckworth | Goodfellow | Hansen | Harper |
| Hendrickson | Litvack | McCartney | McGee |
| Morgan | Moss | Shurtliff | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|--------|------|
| Bennion | Curtis | Gowans | Noel |
| Philpot | Ure | | |

Sub. H.B. 100, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **H.B. 106, HEALTH INSURANCE ACT AMENDMENTS.**

H.B. 106, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|--------|------------|------|
| Curtis | Gowans | B. Johnson | Noel |
| Philpot | | | |

H.B. 106, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 111, LOCAL GOVERNMENT AMENDMENTS.**

2nd Sub. H.B. 111, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Hansen | Hardy | Harper | Hendrickson |
| Hogue | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative

Dougall

Absent or not voting were: Representatives

| | | | |
|---------|---------|--------|------------|
| Bennion | Ferrin | Gowans | B. Johnson |
| Noel | Philpot | | |

2nd Sub. H.B. 111, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Morley, the House voted to concur in the Senate amendments to **6th Sub. H.B. 136**, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS.

6th Sub. H.B. 136, as amended by the Senate, then passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Becker | Bigelow | Bird | Biskupski |

| | | | |
|--------------|----------|-------------|-------------|
| Bourdeaux | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Philpot | Seitz |
| Shurtliff | G. Snow | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|----------|--------|-------------|
| Anderson | Gowans | Hansen | Hendrickson |
| Peterson | Urquhart | | |

Absent or not voting were: Representatives

| | | | |
|--------|---------|--------|------------|
| Barrus | Bennion | Ferrin | B. Johnson |
| Noel | Styler | | |

6th Sub. H.B. 136, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative S. Clark, the House voted to concur in the Senate amendments to **Sub. H.B. 182**, CONSTRUCTION LIEN AMENDMENTS.

Sub. H.B. 182, as amended by the Senate, then passed on the following roll call:

Yeas, 62; Nays, 4; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |

| | | | |
|--------------|-------------|-------------|----------|
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Seitz | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|--------|----------|---------|-----------|
| Becker | Buffmire | Litvack | McCartney |
|--------|----------|---------|-----------|

Absent or not voting were: Representatives

| | | | |
|----------|--------|---------|-----------|
| Bennion | Ferrin | Harper | Holdaway |
| Hughes | Noel | Philpot | Shurtliff |
| Thompson | | | |

Sub. H.B. 182, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Adams, the House voted to concur in the Senate amendments to **Sub. H.B. 215**, BUILDING STANDARDS AMENDMENTS.

Sub. H.B. 215, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |

| | | | |
|--------------|------------|----------|-------------|
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|----------|----------|------|
| Bennion | Bowman | Buxton | Noel |
| Philpot | Thompson | Urquhart | |

Sub. H.B. 215, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.B. 219**, CONSTRUCTION BOND AMENDMENTS.

H.B. 219, as amended by the Senate, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|-------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

Bennion Noel Philpot

H.B. 219, as amended by the Senate, transmitted to the Senate for signature of the president.

CONCURRENCE CALENDAR

On motion of Representative Kiser, the House voted to concur in the Senate amendments to **H.C.R. 1, RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL.**

H.C.R. 1, as amended by the Senate, then passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

Bennion Bigelow Noel

H.C.R. 1, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **S.B. 93.**

S.B. 93, TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete **S.B. 93** in title and body and insert **Sub. S.B. 93** in lieu thereof.

Sub. S.B. 93, as amended, then passed on the following roll call:

Yeas, 38; Nays, 33; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Bigelow |
| Bird | Bush | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Dayton |
| Dillree | Donnelson | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | E. Hutchings | Last |
| Lockhart | Love | Mascaro | Murray |
| Newbold | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Alexander | Anderson | Barrus | Becker |
| Bennion | Biskupski | Bourdeaux | Bryson |
| Buffmire | Buttars | Curtis | Daniels |
| Dee | Dougall | Duckworth | Dunnigan |
| Ferrin | Frank | Hogue | Hughes |
| B. Johnson | Jones | King | Kiser |
| Litvack | McCartney | McGee | Morgan |
| Morley | Moss | Pace | Thompson |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|--------|----------|------|---------|
| Bowman | Lawrence | Noel | Philpot |
|--------|----------|------|---------|

Sub. S.B. 93, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle **S.B. 165**.

S.B. 165, WORKERS' COMPENSATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Alexander, the House voted to delete **S.B. 165** in title and body and insert **2nd Sub. S.B. 165** in lieu thereof.

On motion of Representative Morgan, the House voted to circle **2nd Sub. S.B. 165**.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004

The Senate refuses to concur with the House Amendments to **S.B. 3**, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Snow, the House voted to refuse to recede from its amendments to **S.B. 3** and to authorize the Speaker to appoint a Conference Committee to meet with a like committee from the Senate. The Speaker appointed Representatives Snow, Dillree, and Hendrickson.

* * *

Mr. Speaker: March 2, 2004

The Senate passed, as amended, **S.B. 1**, APPROPRIATIONS ACT, by Senator L. Blackham, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 1**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted consider **S.B. 1** read the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

S.B. 1, APPROPRIATIONS ACT, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **S.B. 1**.

UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **Sub. S.B. 190**.

Sub. S.B. 190, SALES AND USE TAX EXEMPTION RELATING TO FILM, TELEVISION, AND VIDEO, was before the House on its final passage.

Sub. S.B. 190 then passed on the following roll call:

Yeas, 61; Nays, 6; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|----------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Ferry |
| Goodfellow | Hansen | Harper | Holdaway |
| Hughes | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|--------|----------|---------|-----------|
| Becker | Buffmire | Daniels | Duckworth |
| Hogue | McGee | | |

Absent or not voting were: Representatives

| | | | |
|-------------|--------------|---------|--------|
| Alexander | Frank | Gowans | Hardy |
| Hendrickson | E. Hutchings | Newbold | Styler |

Sub. S.B. 190 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Urquhart, the House voted to uncircle **S.B. 49**.

S.B. 49, COMPETENCY TO BE EXECUTED – AMENDMENTS, was before the House on its final passage.

S.B. 49 then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|-------|---------|-----|-------------|
| Frank | Newbold | Ure | M. Stephens |
|-------|---------|-----|-------------|

S.B. 49 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

Sub. S.B. 178, MORTGAGE BROKER AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Philpot proposed the following amendment:

1. Page 1, Line 11

11 ► defines terms;

► enacts provisions related to the regulation of certain mortgage lenders by the Department of Financial Institutions;

2. Page 3, Line 66:

66 ENACTS:

7-25-101, Utah Code Annotated 1953

7-25-102, Utah Code Annotated 1953

7-25-103, Utah Code Annotated 1953

3. Page 3, Line 84:

84 Be it enacted by the Legislature of the state of Utah:

Section 1. Section 7-25-101 is enacted to read:

Chapter 25. Mortgage Lenders

7-25-101. Definitions.

As used in this chapter:

(1) "Mortgage lender" is as defined in Section 61-2c-102.

(2) "Business of residential mortgage loans" is as defined in Section 61-2c-102.

Section 2. Section 7-25-102 is enacted to read:

7-25-102. Registration of mortgage lender.

(1) Unless exempted from Title 61, Chapter 2c, Utah Residential Mortgage Practices Act, under Subsections 61-2c-105(2)(a) through (m), a mortgage lender may not transact the business of residential mortgage loans, as defined in Section 61-2c-102, without registering with the department under this section.

(2) To apply for registration under this section a mortgage lender shall submit to the department a registration statement that states:

(a) any name under which the mortgage lender will transact business in Utah;

(b) the address of the principal business location of the mortgage lender;

(c) the control persons of the mortgage lender;

(d) the name of any individual that transacts the business of residential mortgage loans on behalf of the mortgage lender;

(e) if the mortgage lender does not maintain an office in Utah, a brief description of the manner in which the business is conducted;

(f) the name and address in Utah of a designated agent upon whom service of process may be made; and

(g) any other information required by the commissioner by rule made in accordance with Title 63, Chapter 46a, Utah Administrative

Rulemaking Act.

(3) If information in a registration under this section becomes inaccurate after filing, the mortgage lender shall provide the department the accurate information on or before the following September 30, unless the commissioner requests that the mortgage lender provide the accurate information earlier.

(4) Each mortgage lender required to register under this section shall pay:

(a) an initial registration fee of \$100; and

(b) on or before September 30 of each year, an annual renewal fee established under Section 7-1-401.

Section 3. Section 7-25-103 is enacted to read:

7-25-103. Examination of mortgage lender.

(1) The department may examine the books, accounts, and records of a mortgage lender that is required to register under Section 7-25-102 and make investigations to determine compliance with this chapter and any other applicable state or federal law, including:

(a) Truth in Lending Act, 15 U.S.C. Sec. 1601 et seq.;

(b) Equal Credit Opportunity Act, 15 U.S.C. Sec 1691;

(c) Real Estate Settlement Procedures Act of 1974, 12 U.S.C. Sec. 2601 et seq.; and

(d) Regulation C, Home Mortgage Disclosure, 12 C.F.R. Sec. 203.1 et seq.

(2) In accordance with Section 7-1-401, a mortgage lender shall pay a fee for an examination conducted under Subsection (1).

Renumber remaining sections accordingly.

4. Page 6, Line 177:

177 (c) the Commonwealth of Puerto Rico.

(23) "Mortgage lender" means an entity:

(a) whose principal purpose or activity is lending money on residential mortgage loans;

(b) approved as a seller or servicer by the:

(i) Federal National Mortgage Association; and

(ii) Federal Home Loan Mortgage Corporation; and

(c) approved as a supervised or nonsupervised mortgagee by the:

(i) Department of Housing and Urban Development; and

(ii) Department of Veterans Affairs.

5. Page 15, Line 437:

437 (l) a court appointed fiduciary; ~~[[øf]]~~

6. Page 15, Line 442:

442 attorney~~[[-]]~~; or
(n) a mortgage lender.

Representative Philpot's motion to amend failed on a voice vote.

###

Representative Philpot proposed the following amendment:

1. Page 20, Lines 601 through 602
Senate Committee Amendments
2-20-2004

601 ~~[(C)] (D)~~ (I) except as provided in Subsection (4)(a)(i)(D)(II).
provide proof using methods approved by the division of having
successfully

602 ~~[eompleted]~~ passed an examination approved by the commission
under Section 61-2c-104.

(II) Notwithstanding Subsection (4)(a)(i)(D)(I), an individual may
hold a license under this chapter for 90 calendar days without having
successfully passed an examination approved by the commission under
Section 61-2c-104.

Representative Philpot's motion to amend failed on a voice vote.

###

Representative Lockhart proposed the following amendment:

1. Page 13, Line 367:
After "61-2c-206" insert "including online education or distance
learning options"

Representative Lockhart's motion to amend passed on a voice vote.

Sub. S.B. 178, as amended, then passed on the following roll call:

Yeas, 44; Nays, 23; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-------------|
| Aagard | S. Allen | Barrus | Becker |
| Bennion | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Buttars | Buxton |
| Christensen | D. Clark | D. Cox | Daniels |
| Dee | Dillree | Duckworth | Ferry |
| Goodfellow | Hansen | Harper | Hendrickson |
| Holdaway | E. Hutchings | B. Johnson | Last |
| Lawrence | Litvack | Mascaro | McCartney |
| McGee | Moss | Murray | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Urquhart | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-------------|----------|
| Anderson | Bigelow | Bush | S. Clark |
| Dayton | Donnelson | Dougall | Dunnigan |
| Ferrin | Frank | Gowans | Hardy |
| Hogue | Hughes | Jones | King |
| Lockhart | Love | Morley | Newbold |
| Philpot | Thompson | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------|-----------|-----------|--------|
| Adams | Alexander | Bourdeaux | Curtis |
| Kiser | Morgan | Styler | Ure |

Sub. S.B. 178, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **S.B. 1**.

S.B. 1, APPROPRIATIONS ACT, was before the House on its final passage.

Representative Shurtliff proposed the following amendment:

1. Page 77, Lines 2892–2893:
Delete “be allowed to use the second–tier tuition to cover the institutional needs” and insert “use the second–tier tuition in compliance with the truth in tuition agreements”

Representative Shurtliff’s motion to amend failed on the following roll call:

Yeas, 24; Nays, 46; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Anderson | Barrus | Becker | Biskupski |
| Bryson | Buffmire | D. Cox | Daniels |
| Dayton | Duckworth | Gowans | Hansen |
| Hendrickson | Jones | Kiser | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Shurtliff |

Voting in the negative were: Representatives

| | | | |
|------------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Bennion | Bigelow | Bird | Bowman |
| Bush | Buttars | Buxton | Christensen |
| S. Clark | Curtis | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferrin |
| Ferry | Frank | Hardy | Harper |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Last | Lockhart | Love |
| Morley | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | G. Snow |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|------------|------|
| Bourdeaux | D. Clark | Goodfellow | King |
| Styler | | | |

S.B. 1 then passed on the following roll call:

Yeas, 59; Nays, 13; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hardy | Harper | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |

| | | | |
|---------|---------|-------------|----------|
| Newbold | Noel | Pace | Peterson |
| Seitz | G. Snow | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-----------|-------------|
| Becker | Biskupski | Buffmire | Daniels |
| Duckworth | Gowans | Hansen | Hendrickson |
| Hogue | Litvack | McCartney | Philpot |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | |
|-----------|--------|-----|
| Bourdeaux | Styler | Ure |
|-----------|--------|-----|

S.B. 1 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 2, 2004

The Senate passed **S.B. 231**, EXECUTIVE COMPENSATION AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 231**, read the first time by short title.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **S.B. 231** read the second time by short title and place it at the top of the calendar for third reading.

THIRD READING CALENDAR

S.B. 231, EXECUTIVE COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 231 then passed on the following roll call:

Yeas, 53; Nays, 17; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|----------|-----------|
| Aagard | Adams | S. Allen | Barrus |
| Becker | Bennion | Bigelow | Biskupski |

| | | | |
|--------------|------------|-------------|------------|
| Bourdeaux | Bowman | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Ferry | Frank | Goodfellow |
| Hardy | Harper | Holdaway | Hughes |
| E. Hutchings | B. Johnson | King | Last |
| Litvack | Lockhart | Love | Morgan |
| Morley | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-------------|--------|--------|-----------|
| Anderson | Bird | Bryson | Duckworth |
| Dunnigan | Ferrin | Gowans | Hansen |
| Hendrickson | Hogue | Jones | Kiser |
| Mascaro | McGee | Moss | Philpot |
| Ure | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----------|--------|
| Alexander | Lawrence | McCartney | Styler |
| Thompson | | | |

S.B. 231 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until March 3, 2004, at 8:00 a.m.

FORTY-FIFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Stephens at 8:05 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Elder James E. Faust, First Presidency of the Church of Jesus Christ of Latter-day Saints. Julia Marie Bachison, Martin R. Stephen's niece, sang the National Anthem.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators Stephenson, Wright, and Hale to meet with a like committee from the House of Representatives to consider or amend **S.B. 3, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS**, by Senator H. Stephenson.

Annette B. Moore
Secretary of the Senate

Communication filed. Conference committee may now meet.

* * *

Mr. Speaker: March 2, 2004

The Senate passed **S.B. 251, FUNDING THE PURCHASE OF VOTING EQUIPMENT**, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 22, ADMINISTRATIVE RULES REAUTHORIZATION**, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 235, RETIREMENT FOR AIRPORT POLICE**, by Senator R. Allen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 251, S.B. 22, and S.B. 235**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: March 2, 2004
The Senate passed, as amended, **1st Sub. H.B. 312**, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE, by Representative D. Ure, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 3rd Sub. H.B. 145**, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE, by Representative S. Urquhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 312** and **Senate 3rd Sub. H.B. 145**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 2, 2004
The Senate concurred in the House amendments and passed **S.B. 195**, TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICE, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 195** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 2, 2004
The President of the Senate has signed **1st Sub. H.B. 100**, SCHOOL PROFESSIONAL DEVELOPMENT DAYS, by Representative B. Last, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 121**, CODE OF CRIMINAL PROCEDURE AMENDMENTS, by Representative J. Seitz, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 66**, STATE SPENDING AND DEBT LIMITATIONS AMENDMENTS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 252**, CALCULATION OF PROPERTY TAX LEVIES, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 100**, **H.B. 121**, **3rd Sub. H.B. 66**, and **H.B. 252** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 22** from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

S.B. 22, ADMINISTRATIVE RULES REAUTHORIZATION, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **S.B. 22**.

* * *

S.B. 206, PROPERTY TAX AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 206 then passed on the following roll call:

Yeas, 60; Nays, 0; Absent or not voting, 15.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|----------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bowman | Buffmire |
| Buxton | Christensen | D. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hansen | Hardy | Harper |

| | | | |
|--------------|---------|----------|-------------|
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Pace |
| Philpot | G. Snow | Styler | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|---------|-----------|--------|------------|
| Adams | Bourdeaux | Bryson | Bush |
| Buttars | S. Clark | Gowans | B. Johnson |
| Jones | McCartney | Noel | Peterson |
| Seitz | Shurtliff | Ure | |

S.B. 206 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 232, STANDARD OF CARE FOR EMERGENCY VEHICLE DRIVERS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 232**.

* * *

Sub. S.B. 173, BAIL BOND REINSTATEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 173 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-----------|-------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |

| | | | |
|--------------|------------|-----------|----------|
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----------|---------|
| Alexander | S. Allen | Bourdeaux | Curtis |
| Dillree | Harper | King | Philpot |
| Urquhart | | | |

Sub. S.B. 173 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

2nd Sub. S.B. 215, COUNTY POWERS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Styler, the House voted to circle **2nd Sub. S.B. 215**.

* * *

S.B. 159, ANNEXATION OF PUBLIC LAND TO SPECIAL AND LOCAL DISTRICTS, read the third time by short title and placed on its final passage.

S.B. 159 then passed on the following roll call:

Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-------------|----------|
| Aagard | Alexander | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Daniels | Dayton |

| | | | |
|-----------|--------------|-------------|----------|
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McGee | Morgan | Moss |
| Murray | Newbold | Pace | Philpot |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|------------|---------|
| Adams | S. Allen | Bourdeaux | Buttars |
| S. Clark | Gowans | B. Johnson | Jones |
| Lockhart | McCartney | Morley | Noel |
| Peterson | Seitz | Shurtliff | Ure |

S.B. 159 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.C.R. 2, RESOLUTION REGARDING CONSTRUCTION OF WASTE FACILITY, read the third time by short title and placed on its final passage.

Sub. S.C.R. 2 then passed on the following roll call:

Yeas, 62; Nays, 1; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | King |
| Kiser | Last | Lawrence | Litvack |

| | | | |
|----------|--------|----------|-----------|
| Lockhart | Love | Mascaro | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Pace | Philpot | Shurtliff |
| G. Snow | Styler | Thompson | Urquhart |
| Wallace | Webb | | |

Voting in the negative was: Representative
D. Cox

Absent or not voting were: Representatives

| | | | |
|------------|---------|-----------|-------------|
| Adams | Buttars | S. Clark | Gowans |
| B. Johnson | Jones | McCartney | Noel |
| Peterson | Seitz | Ure | M. Stephens |

Sub. S.C.R. 2 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

2nd Sub. S.B. 60, SPORTS DEVELOPMENT AND TOURISM, RECREATION, CULTURAL, CONVENTION, AND SPORTS FACILITIES TAX AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **2nd Sub. S.B. 60**.

* * *

S.B. 104, SELECTION OF MENTAL HEALTH THERAPIST IN TERMINATION OF PARENTAL RIGHTS, read the third time by short title and placed on its final passage.

S.B. 104 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | Curtis | Daniels |

| | | | |
|-------------|--------------|-------------|-----------|
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hansen |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Pace | Philpot |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative Hogue

Absent or not voting were: Representatives

| | | | |
|--------|------------|----------|----------|
| Adams | Buttars | S. Clark | D. Cox |
| Gowans | B. Johnson | Noel | Peterson |
| Seitz | | | |

S.B. 104 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 194, PLUMBING APPRENTICE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.B. 194**.

* * *

S.B. 201, PUNITIVE DAMAGES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 201 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|-------------|-------------|-------------|----------|
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buxton |
| Christensen | D. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Hughes | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Pace | Philpot | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|--------------|------------|
| Adams | Buttars | S. Clark | Goodfellow |
| Gowans | Holdaway | E. Hutchings | B. Johnson |
| McCartney | Noel | Peterson | Seitz |
| Urquhart | | | |

S.B. 201 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 214, PROHIBITION OF OBESITY LAWSUITS, read the third time by short title and placed on its final passage.

Sub. S.B. 214 then passed on the following roll call:

Yeas, 47; Nays, 17; Absent or not voting, 11.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Bowman | Bryson |
| Bush | Buxton | D. Clark | D. Cox |
| Dayton | Dee | Dillree | Donnelson |
| Dunnigan | Ferrin | Frank | Hardy |
| Harper | Holdaway | Hughes | E. Hutchings |
| Jones | King | Kiser | Last |

| | | | |
|----------|----------|-------------|---------|
| Lawrence | Lockhart | Love | Morley |
| Murray | Newbold | Pace | Philpot |
| G. Snow | Styler | Thompson | Ure |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-------------|---------|
| Biskupski | Buffmire | Christensen | Curtis |
| Daniels | Ferry | Goodfellow | Gowans |
| Hansen | Hendrickson | Hogue | Litvack |
| McCartney | McGee | Morgan | Moss |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|----------|---------|
| Bourdeaux | Buttars | S. Clark | Dougall |
| Duckworth | B. Johnson | Mascaro | Noel |
| Peterson | Seitz | Urquhart | |

Sub. S.B. 214 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **Sub. S.B. 250**.

Sub. S.B. 250, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, was before the House on its final passage.

Representative Christensen proposed the following amendment:

1. Page 2, Line 49:
Delete the colon at the end of the line.
1. Page 2, Line 50:
Delete line 50 and renumber accordingly.
2. Page 2, Line 52:
Delete “(b)” and insert “a person”

Representative Christensen’s motion to amend passed on a voice vote.

Sub. S.B. 250, as amended, then passed on the following roll call:

Yeas, 53; Nays, 18; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|------------|-------------|
| Aagard | Alexander | S. Allen | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dillree | Donnelson | Duckworth |
| Ferrin | Frank | Hardy | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Last | Litvack | Lockhart | Love |
| Mascaro | McGee | Moss | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|---------|----------|-------------|--------|
| Adams | Anderson | Curtis | Dee |
| Dougall | Ferry | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Kiser | Lawrence | McCartney | Morgan |
| Morley | Murray | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|------|----------|
| Bourdeaux | Dunnigan | King | Urquhart |
|-----------|----------|------|----------|

Sub. S.B. 250, as amended, returned to the Senate for further consideration.

* * *

On motion of Representative Adams, the House voted to uncircle **Sub. S.B. 173**.

Sub. S.B. 173, BAIL BOND REINSTATEMENT AMENDMENTS, was before the House on its final passage.

Sub. S.B. 173 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------|---------|----------|--------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |

| | | | |
|--------------|-------------|-----------|-------------|
| Biskupski | Bowman | Bryson | Buffmire |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dayton | Dee | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative was: Representative
Hogue

Absent or not voting were: Representatives

| | | | |
|-----------|----------|-----------|---------|
| Alexander | S. Allen | Bourdeaux | Curtis |
| Dillree | Harper | King | Philpot |
| Urquhart | | | |

Sub. S.B. 173 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative S. Clark, the House voted to uncircle **S.B. 194**.

S.B. 194, PLUMBING APPRENTICE AMENDMENTS, was before the House on its final passage.

S.B. 194 then failed to pass on the following roll call:

Yeas, 35; Nays, 34; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|--------|-------------|
| S. Allen | Bigelow | Bird | Bowman |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Curtis | Dee |
| Dougall | Dunnigan | Frank | Gowans |

| | | | |
|------------|----------|-------------|--------------|
| Hardy | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lawrence |
| Love | Mascaro | Murray | Noel |
| Pace | Peterson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-----------|-----------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Biskupski | Bryson |
| Buffmire | D. Cox | Daniels | Dayton |
| Donnelson | Duckworth | Ferrin | Ferry |
| Goodfellow | Hansen | Harper | Hogue |
| Jones | Litvack | Lockhart | McCartney |
| McGee | Morgan | Morley | Moss |
| Newbold | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|---------|-------------|
| Alexander | Bourdeaux | Dillree | Hendrickson |
| King | Philpot | | |

S.B. 194, returned to the Senate for filing.

* * *

On motion of Representative Ure, the House voted to uncircle **S.B. 22**.

S.B. 22, ADMINISTRATIVE RULES REAUTHORIZATION, was before the House on its final passage.

S.B. 22 then passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Aagard | Adams | Barrus | Becker |
| Bennion | Bigelow | Bird | Biskupski |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Holdaway |

| | | | |
|-------------|--------------|------------|-----------|
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|-------|--------|---------|
| Harper | Hogue | Morley | Philpot |
| Thompson | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|-----------|
| Alexander | S. Allen | Anderson | Bourdeaux |
| King | | | |

S.B. 22 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **Sub. S.B. 170**.

Sub. S.B. 170, PUBLIC TRANSIT DISTRICT AMENDMENTS, was before the House on its final passage.

Representative Curtis proposed the following amendment:

1. Page 7, Line 201:
Delete "As soon as practicable" and insert "Within 120 days"
2. Page 9, Lines 253 and 254:
After "appointment" delete the rest of the line and all of line 254 except for the period.

Representative Curtis' motion to amend passed on a voice vote.

###

Representative Adams proposed the following amendment:

1. Page 1, Lines 20 through 22

20 [[► provides board members for transit districts serving a
 population of more than
 21 ~~200,000 people shall serve for two-year terms instead of three-year
 terms and for up~~
 22 ~~to three consecutive terms instead of two consecutive terms;]]~~

2. Page 2, Line 30

Senate 3rd Reading Amendments
 2-25-2004:

30 § [[{]] None[{}]] ~~[[THIS BILL PROVIDES A COORDINATION
 CLAUSE.]]~~ §

3. Page 8, Lines 213 through 218:

213 (6) (a) Except the initial trustees, the terms of office of the trustees
 shall be [[{]]three[{}]] ~~[[two]]~~
 214 years or until their successors are appointed, qualified, seated, and
 have taken the oath of
 215 office.
 216 (b) At the first meeting of the initial trustees ~~[[held after July 1,
 2004]]~~, the directors shall
 217 designate by the drawing of lots [[{]]1/3[{}]] ~~[[for 1/2]]~~ of their
 number to serve for one-year terms[[{]], 1/3[{}]]
 218 ~~[[and for 1/2]]~~ for two-year terms[[{]], and 1/3 for three-year
 terms[{}].

4. Pages 9 through 9a, Lines 270a through 270k

Senate 3rd Reading Amendments
 2-25-2004:
 Delete lines 270a through 270k

On motion of Representative Harper, the House voted to circle **Sub. S.B. 170**.

THIRD READING CALENDAR

2nd Sub. S.B. 233, AIRPORT SECURITY AMENDMENTS, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 233 then passed on the following roll call:

Yeas, 39; Nays, 34; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|------------|-----------|
| Aagard | Adams | S. Allen | Becker |
| Bennion | Bourdeaux | Bowman | Buffmire |
| Buttars | Buxton | D. Clark | S. Clark |
| Daniels | Dee | Donnelson | Duckworth |
| Dunnigan | Frank | Goodfellow | Hardy |
| Holdaway | Hughes | B. Johnson | Jones |
| King | Lawrence | Litvack | Love |
| Mascaro | McGee | Morgan | Moss |
| Newbold | Pace | Peterson | Seitz |
| Urquhart | Wallace | Webb | |

Voting in the negative were: Representatives

| | | | |
|-------------|-------------|----------|--------------|
| Alexander | Anderson | Barrus | Bigelow |
| Bird | Biskupski | Bryson | Bush |
| Christensen | D. Cox | Curtis | Dillree |
| Ferrin | Ferry | Gowans | Hansen |
| Harper | Hendrickson | Hogue | E. Hutchings |
| Kiser | Last | Lockhart | McCartney |
| Morley | Murray | Noel | Philpot |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | M. Stephens | | |

Absent or not voting were: Representatives

| | |
|--------|---------|
| Dayton | Dougall |
|--------|---------|

2nd Sub. S.B. 233 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 2, 2004

The Senate passed, as amended, **H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, by Representative D. Bourdeaux, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 239**, placed on the calendar for concurrence.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 10:15 a.m.

Speaker Stephens called the House to order at 10:30 a.m.

RULES COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- | | |
|--------------------------|--|
| 1st Sub. S.B. 207 | Office of Museum Services Amendments (Sen. R. Allen) |
| S.B. 251 | Funding the Purchase of Voting Equipment (Sen. D. Eastman) |
| S.B. 174 | Adoption of Uniform Juvenile Compact (Sen. D. Gladwell) |
| S.C.R. 6 | Utah Athletic Foundation Resolution (Sen. B. Evans) |
| 4th Sub. S.B. 90 | Medical Neglect – Exclusion (Sen. D. Thomas) |
| S.J.R. 9 | Resolution on Ethnic Advisory Councils (Sen. J. Evans) |
| S.B. 241 | Future Farmers of America Special License Plate (Sen. B. Evans) |
| S.B. 156 | Substitute Teachers Volunteer Program (Sen. J. Evans) |
| S.B. 218 | Law Enforcement Overtime Fund (Sen. J. Evans) |
| 2nd Sub. S.B. 140 | Human Services Licensing Amendments (Sen. D. C. Buttars) |

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 10:50 a.m.

Speaker Stephens called the House to order at 11:20 a.m.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle **2nd Sub. S.B. 165**.

2nd Sub. S.B. 165, WORKERS COMPENSATION AMENDMENTS, was before the House on its final passage.

Representative Biskupski proposed the following amendment:

1. Page 1, Line 12:
At the end of line 12 delete “and”
2. Page 1, Line 13
Delete “.” and insert “; and
 - ▶ provides for certain auditing by Utah’s Insurance Commissioner for compliance with certain subsidiary limitations.”
3. Page 1, Line 19:
After line 19 insert:
“31A–2–212, as last amended by Chapter 265, Laws of Utah 1997”
4. Page 1, Line 23:
After line 23 insert:
“Section 1. Section 31A–2–212 is amended to read:
31A–2–212. Miscellaneous duties.
(1) Upon issuance of any order limiting, suspending, or revoking an insurer’s authority to do business in Utah, and on institution of any proceedings against the insurer under Chapter 27, the commissioner shall notify by mail all agents of the insurer of whom the commissioner has record. The commissioner may also publish notice of the order in any manner he considers necessary to protect the rights of the public.
(2) When required for evidence in any legal proceeding, the commissioner shall furnish a certificate of the authority of any licensee to transact insurance business in Utah on any particular date. The court or other officer shall receive the certificate in lieu of the commissioner’s testimony.
(3) The commissioner shall obtain and publish tables showing the average expectancy of life, the values of annuities, and of life and term estates. These tables shall be for the use of courts and appraisers in Utah.
(4) On the request of any insurer authorized to do a surety business, the commissioner shall mail a certified copy of the insurer’s certificate of authority to any designated public officer in this state who requires that certificate before accepting a bond. That public officer shall file the certificate. After a certified copy of a certificate of authority has been furnished to a public officer, it is not necessary, while the certificate

remains effective, to attach a copy of it to any instrument of suretyship filed with that public officer. Whenever the commissioner revokes the certificate of authority or starts proceedings under Chapter 27 against any insurer authorized to do a surety business, the commissioner shall immediately give notice of that action to each officer who was sent a certified copy under this subsection.

(5) When an authorized insurer doing a surety business has filed a petition for receivership, is in receivership, or the commissioner has reason to believe the company is in financial difficulty, or has unreasonably failed to carry out any of its contracts, the commissioner shall immediately notify every judge and clerk of all courts of record in the state. Upon the receipt of the notice it is the duty of the judges and clerks to notify and require every person that has filed with the court a bond on which the company is surety, to immediately file a new bond with a new surety.

(6) The commissioner shall require an insurer that issues, sells, renews, or offers health insurance coverage in this state to comply with the Health Insurance Portability and Accountability Act, P.L. 104-191, pursuant to 110 Stat. 1968, Sec. 2722.

(7) (a) The commissioner shall examine and audit each subsidiary of the Workers' Compensation Fund to ensure compliance with the provisions of Subsection 31A-33-103.5(6) related to Workers' Compensation Fund subsidiary requirements and limitations.

(b) The audit under Subsection (7)(a), shall be performed at least every two years."

Renumber remaining sections accordingly.

5. Page 2, Line 35:
After "insurance" insert "in accordance with Section 31A-33-105"
6. Page 2, Line 35:
After "made," insert "including the residual market,"
7. Page 2, Line 46:
After line 46 insert:
"(3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commissioner shall make rules that define the residual market."
8. Page 4, Line 92:
After "business" insert "or sell insurance"

9. Page 4, Line 93:
After “.” bracket “and” and insert “or”
10. Page 4, Line 94:
Bracket “unjustly” and insert “unreasonably”
11. Page 4, Line 110:
Bracket “permits” and insert “requires”
12. Page 4, Line 110:
After “elect” insert “all”

Representative Biskupski’s motion to amend passed on a voice vote.

###

Representative Ure proposed the following amendment:

1. Page 1, Line 12:
Delete “and” and insert “► amends definitions; and”
2. Page 1, Line 21:
After line 21 insert:
“63E–1–102, as last amended by Chapters 8 and 291, Laws of Utah 2003”
3. Page 4, Line 112:
After line 112 insert:
“63E–1–102 Definitions.
As used in this title:
(1) “Authorizing statute” means the statute creating an entity as an independent entity.
(2) “Committee” means the Retirement and Independent Entities Committee created in Section 63E–1–201.
(3) “Independent corporation” means a corporation incorporated in accordance with Chapter 2, Independent Corporations Act.
(4) (a) “Independent entity” means an entity having a public purpose relating to the state or its citizens that is individually created by the state or is given by the state the right to exist and conduct its affairs as an:
(i) independent state agency; or
(ii) independent corporation.
(b) “Independent entity” includes the:
(i) Dairy Commission created in Title 4, Chapter 22, Dairy Promotion

Act;

(ii) Utah Technology Finance Corporation created in Title 9, Chapter 13, Utah Technology and Small Business Finance Act;

(iii) Heber Valley Railroad Authority created in Title 9, Chapter 3, Part 3, Heber Valley Historic Railroad Authority;

(iv) Utah Science Center Authority created in Title 9, Chapter 3, Part 4, Utah Science Center Authority;

(v) Utah Housing Corporation created in Title 9, Chapter 4, Part 9, Utah Housing Corporation Act;

(vi) Utah State Fair Corporation created in Title 9, Chapter 4, Part 11, Utah State Fair Corporation Act;

(vii) Workers' Compensation Fund created in Title 31A, Chapter 33, Workers' Compensation Fund;

(viii) Utah State Retirement Office created in Title 49, Chapter 11, Utah State Retirement Systems Administration;

(ix) School and Institutional Trust Lands Administration created in Title 53C, Chapter 1, Part 2, School and Institutional Trust Lands Administration;

(x) Utah Communications Agency Network created in Title 63C, Chapter 7, Utah Communications Agency Network Act; and

(xi) Utah Capital Investment Corporation created in Title 9, Chapter 2, Part 19, Utah Venture Capital Enhancement Act.

(c) Notwithstanding this Subsection (4), "independent entity" does not include:

(i) the Public Service Commission of Utah created in Section 54-1-1;

(ii) an institution within the state system of higher education;

(iii) a city, county, or town;

(iv) a local school district;

(v) a special district created under the authority of Title 17A, Special Districts; or

(vi) a local district created under the authority of Title 17B, Limited Purpose Local Government Entities.

(5) "Independent state agency" means an entity that is created by the state, but is independent of the governor's direct supervisory control.

(6) "Monies held in trust" means monies maintained for the benefit of:

(a) one or more private individuals, including public employees;

(b) one or more public or private entities; or

(c) the owners of a quasi-public corporation.

(7) "Public corporation" means an artificial person, public in ownership, individually created by the state as a body politic and corporate for the administration of a public purpose relating to the state

or its citizens.

(8) “Quasi–public corporation” means an artificial person, whether or not private in ownership, individually created as a corporation by the state which has accepted from the state the grant of a franchise or contract involving the performance of a public purpose relating to the state or its citizens.”

Representative Styler proposed the following substitute motion to amend:

1. Page 3, Lines 58 through 59

58 employers and their employees engaged in interstate commerce;
[[and]]

59 (c) workers’ compensation products and services in Utah or other states[[-]] ; and

(d) reinsurance related to workers compensation risk of Utah employers and their employees, except as limited by the laws of another jurisdiction for employees outside of this state.

2. Page 3, Lines 78 through 79:

78 (4) The fund shall write workers’ compensation insurance in accordance with Section

79 31A–22–1001 , including for the residual market .

Representative Styler’s substitute motion to amend passed on a voice vote.

###

Representative Ure proposed the following amendment:

1. Page 1, Line 12:

Delete “and” and insert “► amends definitions; and”

2. Page 1, Line 21:

After line 21 insert:

“63E–1–102, as last amended by Chapters 8 and 291, Laws of Utah 2003”

3. Page 4, Line 112:

After line 112 insert:

“Section 4. Section 63E–1–102
63E–1–102 Definitions.

As used in this title:

- (1) "Authorizing statute" means the statute creating an entity as an independent entity.
- (2) "Committee" means the Retirement and Independent Entities Committee created in Section 63E-1-201.
- (3) "Independent corporation" means a corporation incorporated in accordance with Chapter 2, Independent Corporations Act.
- (4) (a) "Independent entity" means an entity having a public purpose relating to the state or its citizens that is individually created by the state or is given by the state the right to exist and conduct its affairs as an:
 - (i) independent state agency; or
 - (ii) independent corporation.
- (b) "Independent entity" includes the:
 - (i) Dairy Commission created in Title 4, Chapter 22, Dairy Promotion Act;
 - (ii) Utah Technology Finance Corporation created in Title 9, Chapter 13, Utah Technology and Small Business Finance Act;
 - (iii) Heber Valley Railroad Authority created in Title 9, Chapter 3, Part 3, Heber Valley Historic Railroad Authority;
 - (iv) Utah Science Center Authority created in Title 9, Chapter 3, Part 4, Utah Science Center Authority;
 - (v) Utah Housing Corporation created in Title 9, Chapter 4, Part 9, Utah Housing Corporation Act;
 - (vi) Utah State Fair Corporation created in Title 9, Chapter 4, Part 11, Utah State Fair Corporation Act;
 - (vii) Workers' Compensation Fund created in Title 31A, Chapter 33, Workers' Compensation Fund;
 - (viii) Utah State Retirement Office created in Title 49, Chapter 11, Utah State Retirement Systems Administration;
 - (ix) School and Institutional Trust Lands Administration created in Title 53C, Chapter 1, Part 2, School and Institutional Trust Lands Administration;
 - (x) Utah Communications Agency Network created in Title 63C, Chapter 7, Utah Communications Agency Network Act; and
 - (xi) Utah Capital Investment Corporation created in Title 9, Chapter 2, Part 19, Utah Venture Capital Enhancement Act.
- (c) Notwithstanding this Subsection (4), "independent entity" does not include:
 - (i) the Public Service Commission of Utah created in Section 54-1-1;
 - (ii) an institution within the state system of higher education;

- (iii) a city, county, or town;
 - (iv) a local school district;
 - (v) a special district created under the authority of Title 17A, Special Districts; or
 - (vi) a local district created under the authority of Title 17B, Limited Purpose Local Government Entities.
- (5) “Independent state agency” means an entity that is created by the state, but is independent of the governor’s direct supervisory control.
- (6) “Monies held in trust” means monies maintained for the benefit of:
- (a) one or more private individuals, including public employees;
 - (b) one or more public or private entities; or
 - (c) the owners of a quasi–public corporation.
- (7) “Public corporation” means an artificial person, public in ownership, individually created by the state as a body politic and corporate for the administration of a public purpose relating to the state or its citizens.
- (8) “Quasi–public corporation” means an artificial person, whether or not private in ownership, individually created as a corporation by the state which has accepted from the state the grant of a franchise or contract involving the performance of a public purpose relating to the state or its citizens.”

Representative Ure’s motion to amend passed on a voice vote.

2nd Sub. S.B. 165, as amended, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|-----------|----------|---------|-------------|
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Wallace | Webb | M. Stephens |

Voting in the negative was: Representative Morgan

Absent or not voting were: Representatives

| | | | |
|--------|----------|-------------|---------|
| Barrus | Bennion | Christensen | Dougall |
| Hardy | Urquhart | | |

2nd Sub. S.B. 165, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004

The Senate refuses to recede from its amendments to **H.B. 273, TAX AND CHARGE AMENDMENTS**, by Representative W. Harper, and has appointed a Conference Committee consisting of Senators Bramble, Hellewell, and Allen to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Harper, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Harper, Cox, and King.

* * *

Mr. Speaker: March 3, 2004

The Senate refuses to concur with the House Amendments to **S.B. 33, MOBILE HOME PARK RESIDENCY ACT**, by Senator E. Mayne, and requests the House recede from its amendments; and

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 245, MEDICAL DISPUTE RESOLUTION AMENDMENTS**, by Senator L. Blackham, and requests the House recede from its amendments; and

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 250, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION**, by Senator J. Valentine, and requests the House recede from its amendments; and

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman, and requests the House recede from its amendments.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 33**, **Sub. S.B. 245**, **Sub. S.B. 250**, and **Sub. S.B. 66**, placed on the Concurrence Calendar.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Joint Conference Committee comprised of Senators Stephenson, Wright, and Hale, and Representatives Snow, Dillree, and Hendrickson, recommends **S.B. 3**, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, by Senator H. Stephenson, be replaced and favorably recommends **1st Sub. S.B. 3**, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS.

Senator Stephenson,

Senate Chair

Representative Snow,

House Chair

Report filed. On motion of Representative Snow, the House voted to adopt the Joint Conference Committee Report.

Sub. S.B. 3 then passed on the following roll call:

Yeas, 56; Nays, 12; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morgan | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | G. Snow | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| Biskupski | Daniels | Duckworth | Gowans |
| Hansen | Hendrickson | King | Litvack |
| McCartney | McGee | Moss | Shurtliff |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|---------|-------|
| Becker | Christensen | Dougall | Hardy |
| Philpot | Styler | Ure | |

Sub. S.B. 3 transmitted to the Senate for consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004

The President of the Senate has signed **H.C.R. 1, RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL**, by Representative T. Kiser, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 219, CONSTRUCTION BOND AMENDMENTS**, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 215, BUILDING STANDARDS AMENDMENTS**, by Representative J. S. Adams, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 182, CONSTRUCTION LIEN AMENDMENTS**, by Representative S. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **6th Sub. H.B. 136, ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS**, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 111, LOCAL GOVERNMENT AMENDMENTS**, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 106, HEALTH INSURANCE ACT AMENDMENTS**, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.C.R. 1, H.B. 219, Sub. H.B. 215, Sub. H.B. 182, 6th Sub. H.B. 136, 2nd Sub. H.B. 111, and H.B. 106** were signed by the Speaker

in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker:

March 3, 2004

The Senate concurred in the House amendments and passed **1st Sub. S.B. 155**, COUNTY MENTAL HEALTH AMENDMENTS, by Senator G. Davis, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 175**, PROTECTION OF PRIVATE LAWFULLY OBTAINED PROPERTY, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **4th Sub. S.B. 26**, PUBLIC SAFETY RETIREES' COST-OF-LIVING INCREASE, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **Sub. S.B. 155**, **2nd Sub. S.B. 175**, and **4th Sub. S.B. 26** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Urquhart, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 145**, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE.

3rd Sub. H.B. 145, as amended by the Senate, then passed on the following roll call:

Yeas, 60; Nays, 7; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|-----------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |

| | | | |
|------------|--------------|------------|-------------|
| Goodfellow | Hansen | Hardy | Harper |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Seitz | Shurtliff | Thompson |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|--------|--------|-------------|
| Anderson | Dayton | Gowans | Hendrickson |
| Hogue | Hughes | Morley | |

Absent or not voting were: Representatives

| | | | |
|---------|-------------|--------|---------|
| Bigelow | Christensen | Dee | Dougall |
| Philpot | G. Snow | Styler | Ure |

3rd Sub. H.B. 145, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Bourdeaux, the House voted to refuse to concur with the Senate amendments to **H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, and to request the Senate to recede from its amendments.

* * *

On motion of Representative Harper, the House voted to recede from its amendments to **S.B. 33**, MOBILE HOME PARK RESIDENCY ACT.

S.B. 33 then passed on the following roll call:

Yeas, 52; Nays, 15; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dillree | Duckworth |
| Dunnigan | Ferrin | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |

| | | | |
|-------------|----------|--------------|------------|
| Hendrickson | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Pace | Seitz |
| Shurtliff | Thompson | Wallace | Webb |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-------------|----------|
| Alexander | Bennion | Bryson | Curtis |
| Dayton | Donnelson | Ferry | Hogue |
| Hughes | Lockhart | Newbold | Peterson |
| G. Snow | Urquhart | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------|-------------|--------|---------|
| Bush | Christensen | Dee | Dougall |
| Noel | Philpot | Styler | Ure |

S.B. 33 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Urquhart, the House voted to refuse to recede from its amendments to **Sub. S.B. 245**, MEDICAL DISPUTE RESOLUTION AMENDMENTS, and to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Urquhart, Dayton, and Daniels.

* * *

On motion of Representative Curtis, the House voted to refuse to recede from its amendments to **Sub. S.B. 250**, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, and to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Christensen, Ferrin, and Daniels.

* * *

On motion of Representative Urquhart, the House voted to refuse to recede from its amendments to **Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, and to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Urquhart, Adams, and Goodfellow.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recall **H.B. 238** from the Office of Legislature Research and General Counsel and return it to the Senate for further consideration.

On motion of Representative Allen, the House voted to recall **H.B. 256** from the Office of Legislature Research and General Counsel and returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 3, 2004
The Senate substituted, amended, and passed, **Senate 4th Sub. H.B. 323**, SPYWARE REGULATION, by Representative S. Urquhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **4th Sub. H.B. 323**, placed on the calendar for concurrence.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Stephens at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2004
The Senate passed, as amended, **2nd Sub. H.B. 128**, AMENDMENTS TO OPERATING UNDER THE INFLUENCE, by Representative D. Love, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 114**, MONEY MANAGEMENT ACT AMENDMENTS, by Representative D. Clark, and it is transmitted for further consideration; and

The Senate passed, as amended, **3rd Sub. H.B. 56**, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES, by Representative S. Mascaro, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 158**, WATER SHARES IN A MUNICIPAL WATER COMPANY, by Representative G. Hughes, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 128**, **H.B. 114**, **3rd Sub. H.B. 56**, and **H.B. 158**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 3, 2004

The Senate concurred in the House amendments and passed **1st Sub. S.B. 93**, TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS, by Senator B. Evans, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 178**, MORTGAGE BROKER AMENDMENTS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 93** and **Sub. S.B. 178** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate passed, **1st Sub. H.B. 61**, CHILD WELFARE INVESTIGATIONS, by Representative M. Thompson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 70**, GERIATRIC CARE MANAGERS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 85**, HEALTH INSURANCE MANDATE AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 90**, ACCESS TO CHILD WELFARE HEARINGS, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 116**, FACILITIES WITH REGIONAL IMPACT, by Representative R. Becker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 120**, CHILD WELFARE FUNDING FOR IN-HOME SERVICES, by Representative M. Thompson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 123**, DRUG LAB CLEANUP AND DISCLOSURE, by Representative D. Litvack, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 124**, SMALL CLAIMS COURT JURISDICTION AMENDMENTS, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 131**, EMINENT DOMAIN AMENDMENTS, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **3rd Sub. H.B. 231**, REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE, by Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 248**, DISCLOSURE OF HIGHER EDUCATION COSTS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 262**, PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 302**, VOLUNTARY CONTRIBUTION ACT AMENDMENTS, by Representative M. Styler, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 332**, VETERANS SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative S. Mascaro, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 341**, CHILDREN'S INTERNET PROTECTION ACT, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.J.R. 17**, RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION, by Representative M. Noel, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **3rd Sub. H.J.R. 12**, RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION, by Representative G. Curtis, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 20**, RESOLUTION REGARDING RADIATION EXPOSURE COMPENSATION ACT, by Representative D. Peterson, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 61, Sub. H.B. 70, H.B. 85, Sub. H.B. 90, 2nd Sub. H.B. 116, H.B. 120, Sub. H.B. 123, H.B. 124, H.B. 131, 3rd Sub. H.B. 231, H.B. 248, Sub. H.B. 262, H.B. 302, H.B. 332, H.B. 341, Sub. H.J.R. 17, 3rd Sub. H.J.R. 12, and H.J.R. 20** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **S.B. 232**.

S.B. 232, STANDARD OF CARE FOR EMERGENCY VEHICLE DRIVERS, was before the House on its final passage.

S.B. 232 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-----------|-----------|
| Agard | Adams | Alexander | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Harper |

| | | | |
|--------------|------------|-------------|---------|
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Wallace | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|----------|--------|----------|-----------|
| S. Allen | Bowman | Hardy | McCartney |
| McGee | Ure | Urquhart | Webb |

S.B. 232 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Curtis, the House voted to uncircle **Sub. S.B. 170**.

Sub. S.B. 170, PUBLIC TRANSIT DISTRICT AMENDMENTS, was before the House on its final passage.

Representative Last proposed the following amendment:

1. Page 2, Line 27:
After “;” delete “and”

2. Page 2, Line 27:
After line 27 insert:

“ ▶ provides that a municipality or county is not prohibited from providing certain transportation services; and”

3. Page 2, Line 38:
After line 38 insert:
“17A–2–1063, as enacted by Chapter 217, Laws of Utah 1998”

4. Page 9, Line 270:
After line 270 insert:
“Section 6. Section 17A–2–1063 is amended to read:
17A–2–1063. Transit district special services.

(1) As used in this section, “bureau” means a recreational, tourist, or convention bureau established under Section 17–31–2.

(2) (a) A district may lease its buses to private certified public carriers or operate transit services requested by a governmental entity when a bureau certifies that privately–owned carriers furnishing like services or operating like equipment within the area served by the bureau have declined to provide the service or do not have the equipment necessary to provide the service.

(b) A district may lease its buses or operate services as authorized under Subsection (2)(a) outside of the area served by the district.

(3) A district may provide school bus services for transportation of pupils and supervisory personnel between homes and school and other related school activities within the area served by the district, or may provide the transportation of passengers covered by an elderly or disabled persons program within the district where all or part of the transportation services are paid for by public funds.

(4) Notwithstanding the provisions in Subsection (3), a municipality or county is not prohibited from providing the transportation services identified in Subsection (3).”

Representative Last’s motion to amend passed on a voice vote.

Sub. S.B. 170, as amended, then passed on the following roll call:

Yeas, 68; Nays, 5; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |

| | | | |
|----------|---------|----------|-------------|
| Pace | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------|--------|--------|-------------|
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | | | |

Absent or not voting were: Representatives

| | |
|-------|----------|
| Hardy | Peterson |
|-------|----------|

Sub. S.B. 170, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, under suspension of the rules, the House voted to lift **H.B. 3**, SUPPLEMENTAL APPROPRIATIONS ACT II, from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading.

* * *

On motion of Representative Curtis, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 3, SUPPLEMENTAL APPROPRIATIONS ACT II, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

- Page 7, Line 235:
After line 235 insert:
“Item 27a To Department of Commerce – Commerce General Regulation from Commerce Service Fund From General Fund Restricted – Commerce Fund \$26,500 Schedule of Programs: Occupational and Professional Licensing \$26,500”
- Page 8, Line 269:
After line 269 insert:
“Item 31a To Department of Health – Community and Family Health Services

From General Fund (\$50,000)
Schedule of Programs:
Health Promotion (\$50,000)”

3. Page 12, Line 420:
 Insert “The following intent language supplements and further directs the distribution of monies appropriated in S.B. 1, Appropriations Act, 2004 General Session, Item 176, State Board of Regents – Nursing Initiative.”
4. Pages 14–15, Lines 525–527:
 Delete lines 525–527
5. Page 17, Line 621:
 After line 621 insert “The Legislature intends these funds to be non–lapsing.”
6. Page 17, Line 625:
 After line 625 insert:
“Item 83 To Department of Environmental Quality – Environmental Quality
It is the intent of the Legislature that the \$500,000 appropriated by Item 70, House Bill 1, 2004 General Session shall not lapse.”
7. Page 4, Line 110:
 After “General Fund Restricted” insert “Interstate Compact for Adult Offender Supervision Restricted Account”

Representative Bigelow’s motion to amend passed on a voice vote.

###

Representative King proposed the following amendment:

1. Page 9, Lines 314 through 326
 - 314 Item 37 To Department of Human Services – Division of Substance Abuse
 - 315 and Mental Health
 - 316 From General Fund 234,100
 - 317 From General Fund, One–time[[234,100]] 534,100
 - 318 Schedule of Programs:

319 Mental Health Centers 331,800

320 Local Substance Abuse Services 136,400

Community Mental Health Services 300,000

321 It is the intent of the Legislature that increased State funds

322 provided by the 2004 Legislature for local Mental Health

323 Centers in item 122 of Senate Bill 1 (Appropriations Act, 2004

324 General Session) be distributed through the mental health

325 funding formula to local authorities for use as match for

326 Medicaid funding.

It is the intent of the Legislature that the monies appropriated to Community Mental Health Services be used for autism programs.

2. Page 13, Line 488 through Page 14, Line 493:

488 Item 64 To State Board of Education – State Office of Education

489 From General Fund, One-time[[1,400,000]] 1,100,000

490 Schedule of Programs:

491 Law, Legislation and Education Services[[1,400,000]] 1,100,000

492 To implement the provisions of House Bill 115, 2004

493 General Session.

Representative King’s motion to amend failed on the following roll call:

Yeas, 30; Nays, 39; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-----------|-----------|
| S. Allen | Anderson | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| D. Cox | Daniels | Dougall | Duckworth |
| Ferry | Goodfellow | Gowans | Hansen |
| Hogue | Holdaway | King | Lawrence |
| Litvack | Mascaro | McCartney | McGee |
| Morgan | Moss | Pace | Seitz |
| Shurtliff | G. Snow | | |

Voting in the negative were: Representatives

| | | | |
|---------|---------|-----------|--------|
| Aagard | Adams | Alexander | Barrus |
| Bennion | Bigelow | Bryson | Bush |

| | | | |
|--------------|-----------|-------------|----------|
| Buttars | Buxton | Christensen | D. Clark |
| S. Clark | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dunnigan | Ferrin |
| Frank | Hardy | Harper | Hughes |
| E. Hutchings | Kiser | Last | Lockhart |
| Love | Morley | Murray | Peterson |
| Philpot | Styler | Thompson | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-------------|------------|-------|---------|
| Hendrickson | B. Johnson | Jones | Newbold |
| Noel | Ure | | |

Representative Snow proposed the following amendment:

1. Page 6, Lines 203–206:
Delete lines 203 through 206.

Representative Snow’s motion to amend passed on a voice vote.

###

Representative Dougall proposed the following amendment:

1. Page 13, Line 452:
After “From General Fund” delete “(60,000)” and insert “(31,400)”
2. Page 13, Line 454:
After “General Administration” delete “(80,000)” and insert “(51,400)”
3. Page 13, Line 457:
After line 457 insert:
“It is the intent of the Legislature that \$28,600 be used by the department to provide for the state’s portion of the indemnity payment for farmers whose rabbits were euthanized.”

Representative Dougall’s motion to amend failed on a voice vote.

###

Representative Buxton proposed the following amendment:

1. Page 12, Lines 420–428:
Delete lines 420 through 428.

Representative Buxton's motion to amend failed on a voice vote.

###

Representative Johnson proposed the following amendment:

1. Page 12, After Line 428:
Insert the following intent language: "It is the intent of the Legislature that \$50,000 of the General Fund, One-time language in Senate Bill 1, Appropriations Act, 2004 General Session, Item 147, Southern Utah University – Education and General that is designated for the nursing program initiative be converted to ongoing General Fund."

Representative Lockhart proposed the following substitute motion to amend:

1. Page 12, Line 425:
After "Utah" delete "\$100,000" and insert "\$150,000"
2. Page 12, Line 427:
Delete "\$50,000" and insert "\$25,000" and delete "Snow College –"
3. Page 12, Line 428:
Delete the first "\$50,000,"
4. Page 12, Line 428:
Delete "\$50,000" and insert "\$75,000"

Representative Lockhart's substitute motion to amend passed on a voice vote.

###

Representative Hogue proposed the following amendments. The motion was requested to be divided and voted on individually.

1. Page 4, Lines 121–126:
Delete lines 121 through 126.

Item 1 passed on a voice vote.

2. Page 7, Lines 238–244:
Delete lines 238 through 244.

Item 2 failed on a voice vote.

3. Page 14, Line 489:
Delete "1,400,000" and insert "900,000"

4. Page 14, Line 491:
Delete "1,400,000" and insert "900,000"

Items 3 and 4 failed on the following roll call:

Yeas, 33; Nays, 40; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-----------|-----------|
| Aagard | S. Allen | Anderson | Becker |
| Bird | Biskupski | Bourdeaux | Bowman |
| Buffmire | D. Cox | Daniels | Duckworth |
| Ferry | Goodfellow | Gowans | Hansen |
| Hendrickson | Hogue | Holdaway | Jones |
| King | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | | | |

Voting in the negative were: Representatives

| | | | |
|------------|-------------|----------|--------------|
| Adams | Alexander | Barrus | Bennion |
| Bigelow | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Dunnigan | Ferrin | Frank |
| Hardy | Harper | Hughes | E. Hutchings |
| B. Johnson | Kiser | Last | Lockhart |
| Love | Morley | Murray | Newbold |
| Noel | Philpot | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

Curtis Styler

5. Page 16, Line 582:
Delete "150,000" and insert "50,000"
6. Page 16, Line 584:
Delete "150,000" and insert "50,000"

Items 5 and 6 failed on the following roll call:

Yeas, 35; Nays, 35; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------|-------------|
| S. Allen | Anderson | Becker | Bird |
| Biskupski | Bourdeaux | Bowman | Christensen |

| | | | |
|-----------|-----------|------------|--------------|
| S. Clark | Daniels | Dee | Duckworth |
| Dunnigan | Ferry | Goodfellow | Hansen |
| Hardy | Hogue | Holdaway | E. Hutchings |
| Jones | King | Lawrence | Litvack |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Pace | Seitz |
| Shurtliff | G. Snow | Webb | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|-------------|----------|
| Aagard | Barrus | Bennion | Bigelow |
| Bryson | Bush | Buttars | Buxton |
| D. Clark | D. Cox | Dayton | Dillree |
| Donnelson | Dougall | Ferrin | Frank |
| Gowans | Harper | Hendrickson | Hughes |
| Kiser | Last | Lockhart | Love |
| Morley | Newbold | Noel | Peterson |
| Philpot | Styler | Thompson | Ure |
| Urquhart | Wallace | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|------------|-----------|----------|--------|
| Adams | Alexander | Buffmire | Curtis |
| B. Johnson | | | |

7. Page 16, Line 592:
Delete "4,500,000" and insert "4,508,000"
8. Page 16, Line 594:
Delete "4,500,000" and insert "4,508,000"

Items 7 and 8 passed.

###

Representative Ferrin proposed the following amendment:

1. Page 3, Lines 75–80:
Delete line 75 through 80.
2. Page 16, Line 592 and 594:
Delete "4,508,000" and insert "4,589,000"

Representative Ferrin's motion to amend failed on a voice vote.

H.B. 3, as amended, then passed on the following roll call:

Yeas, 54; Nays, 17; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bennion | Bigelow | Bowman |
| Bryson | Bush | Buttars | Buxton |
| D. Clark | S. Clark | D. Cox | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Hardy | Harper | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Last | Lockhart | Love |
| Mascaro | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-------------|-----------|-----------|
| Anderson | Becker | Biskupski | Bourdeaux |
| Buffmire | Daniels | Duckworth | Gowans |
| Hansen | Hendrickson | Hogue | Lawrence |
| Litvack | McCartney | McGee | Moss |
| Shurtliff | | | |

Absent or not voting were: Representatives

| | | | |
|------|-------------|--------|-------|
| Bird | Christensen | Curtis | Kiser |
|------|-------------|--------|-------|

H.B. 3, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Ure, the House voted to recall **Sub. S.B. 196** from the Senate.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The Senate refuses to recede from its amendments to **H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, by Representative D. Bourdeaux, and has appointed a Conference Committee consisting of Senators

Stephenson, Waddoups, and Allen to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communications filed. On motion of Representative Bourdeaux, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Bourdeaux, Harper, and Christensen.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Joint Conference Committee comprised of Senators Michael Waddoups, Gregory Bell, and Ed Mayne, and Representatives Stephen Urquhart, R. Curtis Webb, and Ty McCartney, recommends **S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups, be replaced and favorably recommends **1st Sub. S.B. 48**, UNIFORM FIREARM LAWS.

Senator Waddoups,
Senate Chair
Representative Urquhart,
House Chair

Report filed. On motion of Representative Urquhart, the House voted to adopt the Joint Conference Committee Report.

Sub. S.B. 48 then passed on the following roll call:

Yeas, 55; Nays, 16; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|-------------|----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Frank | Gowans |
| Hardy | Harper | Hendrickson | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Last |
| Lawrence | Lockhart | Love | Morley |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|----------|------------|-----------|-----------|
| S. Allen | Becker | Biskupski | Buffmire |
| Daniels | Goodfellow | Hansen | Hogue |
| Jones | Litvack | Mascaro | McCartney |
| McGee | Morgan | Moss | Shurtliff |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|------|-------|
| Bourdeaux | Curtis | King | Kiser |
|-----------|--------|------|-------|

Sub. S.B. 48 transmitted to the Senate for consideration.

INTENT LANGUAGE FOR SUB. S.B. 48

On motion of Representative Urquhart, the House voted to print the following Intent Language upon the pages of the House Journal.

“The passage of **Sub. S.B. 48** Uniform Firearm Laws, is not intended to restrict the property rights of private institutions of higher education.”

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Joint Conference Committee comprised of Senators John Valentine, James Evans, and Karen Hale, and Representatives Sheryl Allen, Michael Styler, and James Gowans, recommends **1st Sub. S.B. 230**, PERFORMANCE PLUS – READING ACHIEVEMENT, by Senator J. Evans, be replaced and favorably recommends **4th Sub. S.B. 230**, READING ACHIEVEMENT PROGRAM.

Senator Valentine,
Senate Chair
Representative Allen,
House Chair

Report filed. On motion of Representative Allen, the House voted to adopt the Joint Conference Committee Report.

4th Sub. S.B. 230 then passed on the following roll call:

Yeas, 44; Nays, 27; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------|----------|-----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bird | Biskupski | Bourdeaux |
| Bowman | Buffmire | Buxton | D. Clark |
| D. Cox | Daniels | Dee | Dillree |

| | | | |
|--------------|-------------|----------|-------------|
| Duckworth | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | King | Last | Lawrence |
| Litvack | Love | Mascaro | McCartney |
| McGee | Morgan | Moss | Murray |
| Noel | Pace | Peterson | Shurtliff |
| Styler | Urquhart | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|-----------|-------------|
| Alexander | Barrus | Bennion | Bigelow |
| Bryson | Bush | Buttars | Christensen |
| S. Clark | Dayton | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Harper | Hughes | Jones | Lockhart |
| Morley | Newbold | Seitz | G. Snow |
| Thompson | Ure | Wallace | |

Absent or not voting were: Representatives

| | | | |
|--------|------------|-------|---------|
| Curtis | B. Johnson | Kiser | Philpot |
|--------|------------|-------|---------|

4th Sub. S.B. 230 transmitted to the Senate for consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators Valentine, Bramble, and Allen to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 250**, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, by Senator J. Valentine; and

The President of the Senate has appointed a Conference Committee consisting of Senators Blackham, Walker, and Arent to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 245**, MEDICAL DISPUTE RESOLUTION AMENDMENTS, by Senator L. Blackham; and

The President of the Senate has appointed a Conference Committee consisting of Senators Hickman, Eastman, and Mayne to meet with a like

committee from the House of Representatives to consider or amend **1st Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 250**, **Sub. S.B. 245**, and **Sub. S.B. 66** Conference Committees may now meet.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate passed, as amended, **1st Sub. H.B. 105**, CONTINUING EDUCATION FOR CONTRACTORS, by Representative J. S. Adams, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 157**, TRANSPORTATION AMENDMENTS, by Representative J. Dougall, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 330**, ALLOCATION OF TOBACCO FUND AMENDMENTS, by Representative D. Peterson, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 105**, **H.B. 157**, and **Sub. H.B. 330**, placed on the calendar for concurrence.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **1st Sub. S.B. 3**, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. S.B. 3** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate passed, **1st Sub. H.B. 135**, NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT, by Representative

M. S. Lawrence, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 142**, AUDIT REQUIREMENTS FOR POLITICAL SUBDIVISIONS, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 256**, EXPANSION OF ECONOMIC DEVELOPMENT WEBPAGE, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 275**, ADOPTION AMENDMENTS, by Representative A. Hardy, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 320**, TRANSFERABILITY OF CREDITS AMONG HIGHER EDUCATION INSTITUTIONS, by Representative B. Johnson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **3rd Sub. H.B. 115**, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, by Representative J. M. Philpot, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 145**, APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE, by Representative S. Urquhart, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 249**, NURSING CARE FACILITY MEDICAID CERTIFICATION AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 11**, RESOLUTION ON HIGHER EDUCATION REMEDIAL CLASSES, by Representative M. Dillree, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **Sub. H.B. 135**, **Sub. H.B. 142**, **H.B. 256**, **Sub. H.B. 275**, **H.B. 320**, **3rd Sub. H.B. 115**, **3rd Sub. H.B. 145**, **H.B. 249**, and **H.C.R. 11** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 4:45 p.m.

Speaker Stephens called the House to order at 4:50 p.m.

* * *

On motion of Representative Harper, the House voted to recall **S.B. 200** from the Senate.

CONCURRENCE CALENDAR

On motion of Representative Ure, the House voted to concur in the Senate amendments to **Sub. H.B. 312, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE.**

Sub. H.B. 312, as amended by the Senate, then passed on the following roll call:

Yeas, 59; Nays, 10; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|--------------|
| Agaard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bird | Biskupski |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dillree |
| Duckworth | Dunnigan | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hendrickson | Hogue | Holdaway | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|---------|----------|--------|-----------|
| Bennion | Bigelow | Dayton | Donnelson |
| Dougall | Ferrin | Hughes | Lockhart |
| Morley | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|--------|-----------|-------------|--------|
| Becker | Bourdeaux | Christensen | Curtis |
| Harper | Philpot | | |

Sub. H.B. 312, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Urquhart, the House voted to concur in the Senate amendments to **4th Sub. H.B. 323**, SPYWARE REGULATION.

4th Sub. H.B. 323, as amended by the Senate, then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

| | | | |
|-----------|----------|--------------|------------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|---------|-------|
| Bourdeaux | Christensen | Dillree | Frank |
| Harper | Kiser | Newbold | Noel |

4th Sub. H.B. 323, as amended by the Senate, transmitted to the Senate for signature of the president.

INTENT LANGUAGE FOR 4TH SUB. H.B. 323

On motion of Representative Urquhart, the House voted to print the following Intent Language upon the pages of the House Journal.

“It is the intent of the Legislature that an advertiser who pays for an ad, whose express intention is to pop over a competitors website in violation of this chapter, shall have been considered to have “caused” the violation of this chapter.”

CONCURRENCE CALENDAR

On motion of Representative Love, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 128, AMENDMENTS TO OPERATING UNDER THE INFLUENCE.**

2nd Sub. H.B. 128, as amended by the Senate, then passed on the following roll call:

Yeas, 61; Nays, 7; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Lockhart | Love | Mascaro | Morgan |
| Morley | Moss | Murray | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-----------|-----------|
| Biskupski | Bourdeaux | Buffmire | Duckworth |
| Goodfellow | Litvack | McCartney | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|---------|-------|
| Alexander | Bennion | Dillree | Frank |
| Kiser | McGee | Newbold | |

2nd Sub. H.B. 128, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **H.B. 158**, WATER SHARES IN A MUNICIPAL WATER COMPANY.

H.B. 158, as amended by the Senate, then passed on the following roll call:

Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|-------|---------|
| Bennion | Dillree | Frank | Newbold |
|---------|---------|-------|---------|

H.B. 158, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Mascaro, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 56**, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES.

3rd Sub. H.B. 56, as amended by the Senate, then passed on the following roll call:

Yeas, 46; Nays, 24; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|----------|----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Biskupski | Bowman | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Daniels | Dee | Dunnigan |
| Ferry | Goodfellow | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | G. Snow | Styler |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|-------------|-------------|
| Alexander | Bennion | Bryson | Christensen |
| Curtis | Dayton | Donnelson | Dougall |
| Duckworth | Frank | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hughes |
| Kiser | Lockhart | Morley | Philpot |
| Thompson | Ure | Urquhart | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|------|
| Bourdeaux | Dillree | Ferrin | Love |
| Newbold | | | |

3rd Sub. H.B. 56, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative D. Clark, the House voted to concur in the Senate amendments to **H.B. 114**, MONEY MANAGEMENT ACT AMENDMENTS.

H.B. 114, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-----------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Buffmire | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|---------|---------|------------|-------|
| Bush | Dillree | B. Johnson | Kiser |
| Newbold | | | |

H.B. 114, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Adams, the House voted to concur in the Senate amendments to **Sub. H.B. 105**, CONTINUING EDUCATION FOR CONTRACTORS.

Sub. H.B. 105, as amended by the Senate, then passed on the following roll call:

Yeas, 43; Nays, 30; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|----------|----------|
| Aagard | Adams | S. Allen | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Buffmire |
| Buxton | S. Clark | Daniels | Dee |

| | | | |
|--------------|-------------|-----------|-----------|
| Duckworth | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | King | Kiser | Last |
| Litvack | Love | Mascaro | McCartney |
| McGee | Moss | Murray | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Webb | |

Voting in the negative were: Representatives

| | | | |
|-------------|-------------|------------|----------|
| Alexander | Anderson | Bryson | Buttars |
| Christensen | D. Clark | D. Cox | Curtis |
| Dayton | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Harper | Hughes | B. Johnson | Jones |
| Lawrence | Lockhart | Morgan | Newbold |
| Peterson | Philpot | Thompson | Urquhart |
| Wallace | M. Stephens | | |

Absent or not voting were: Representatives

| | |
|------|--------|
| Bush | Morley |
|------|--------|

Sub. H.B. 105, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dougall, the House voted to concur in the Senate amendments to **H.B. 157**, TRANSPORTATION AMENDMENTS.

H.B. 157, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 4; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-----------|------------|-------------|----------|
| Aagard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bryson |
| Buffmire | Buttars | Christensen | D. Clark |
| S. Clark | D. Cox | Curtis | Daniels |
| Dayton | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |

| | | | |
|----------|----------|--------------|-------------|
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Last | Lawrence |
| Litvack | Lockhart | Love | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------|--------|-----|---------|
| Adams | Buxton | Dee | Mascaro |
|-------|--------|-----|---------|

Absent or not voting were: Representatives

| | | |
|--------|------|-------|
| Bowman | Bush | Kiser |
|--------|------|-------|

H.B. 157, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess until 7:00 p.m.

EVENING SESSION

The House was called to order by Speaker Stephens at 7:10 p.m.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 3, 2004

The Joint Conference Committee comprised of Senators Blackham, Walker, and Arent, and Representatives Urquhart, Dayton, and Daniels, recommends **1st Sub. S.B. 245, MEDICAL DISPUTE RESOLUTION AMENDMENTS**, by Senator L. Blackham, et al, with the following amendments:

- Page 3, Lines 65 through 68:

65 ~~[(iii)] (C)~~ a third arbitrator ;
(I) ~~[be]~~ jointly selected by ~~H~~ ~~[[[]]]~~ all persons claiming damages
and

66 the health care provider~~[[[]]]~~ ; or
(II) if both parties cannot agree on the selection of the third
arbitrator, [[[]]]THE OTHER TWO ARBITRATORS[[[]]] ~~H~~ shall
appoint the third arbitrator from a list of individuals approved as

- 66a arbitrators by the state or federal
- 67 courts of Utah; or
- 68 (ii) if both parties agree, a single arbitrator may be selected;

Senator Blackham,
Senate Chair
Representative Urquhart,
House Chair

Report filed. On motion of Representative Urquhart, the House voted to adopt the Joint Conference Committee Report.

Sub. S.B. 245 then passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|----------|--------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bigelow | Bird |
| Bourdeaux | Bowman | Buffmire | Bush |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|--------|--------|
| Bennion | Biskupski | Bryson | Dayton |
| Kiser | Morley | | |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|--------|-------------|
| Alexander | Buttars | Harper | Hendrickson |
| G. Snow | | | |

Sub. S.B. 245 transmitted to the Senate for consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 3, 2004

The Senate transmits **1st Sub. S.B. 196**, COURT FEE ADJUSTMENTS, by Senator D. Gladwell, for further consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Ure, the House voted to reconsider its action on **Sub. S.B. 196**.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to reconsider its action on **Sub. S.B. 196**.

RECONSIDERATION OF SUB. S.B. 196

Sub. S.B. 196, COURT FEE AMENDMENTS, was before the House upon its final passage.

On motion of Representative Dee, the House voted to delete **Sub. S.B. 196** in title and body and insert **2nd Sub. S.B. 196** in lieu thereof.

2nd Sub. S.B. 196 then passed on the following roll call:

Yeas, 42; Nays, 27; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|----------|-------------|
| Aagard | Bennion | Bird | Bourdeaux |
| Bowman | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Daniels | Dee | Dillree | Duckworth |
| Goodfellow | Gowans | Hansen | Hendrickson |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Noel | Pace |
| Seitz | Shurtliff | Ure | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|----------|--------|
| Alexander | S. Allen | Anderson | Barrus |
| Bigelow | Bryson | Curtis | Dayton |

| | | | |
|-----------|----------|-------------|---------|
| Donnelson | Dunnigan | Ferrin | Ferry |
| Frank | Hardy | Harper | Hogue |
| Holdaway | Hughes | Lawrence | Morley |
| Newbold | Peterson | Philpot | G. Snow |
| Styler | Thompson | M. Stephens | |

Absent or not voting were: Representatives

| | | | |
|---------|----------|-----------|-------------|
| Adams | Becker | Biskupski | Christensen |
| Dougall | Lockhart | | |

2nd Sub. S.B. 196 transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate passed, as amended, **H.B. 138**, TRESPASSING ON STATE PARK LANDS, by Representative S. Allen, and it is transmitted for further consideration; and

The Senate passed, as amended, **3rd Sub. H.B. 140**, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS, by Representative L. Christensen, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 165**, CHILD PROTECTION REGISTRY, by Representative M. Styler, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 86**, PRIMARY CARE NETWORK AMENDMENTS, by Representative K. Holdaway, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 138**, **3rd Sub. H.B. 140**, **Sub. H.B. 165**, and **H.B. 86**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 3, 2004

The Senate passed, **H.B. 250**, PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 295**, ISSUANCE OF CONCEALED FIREARM PERMITS AMENDMENTS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 347**, STATE HIGHWAY DESIGNATION CHANGES, by Representative M. Styler, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 122**, PRIVATE INVESTIGATOR AMENDMENTS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 125**, COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 148**, OPTOMETRY AMENDMENTS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 241**, COMMITMENT FOR MENTAL RETARDATION, by Representative C. Bird, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 365**, DISCLOSURE OF STATE EMPLOYEES' COMPENSATION AND BENEFITS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 13**, CLOG AMERICA RESOLUTION, by Representative B. Goodfellow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 343**, PRACTICE PERMIT REQUIREMENT AMENDMENTS, by Representative R. Barrus, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 335**, PENALTY FOR USING FAKE IDENTIFICATION, by Representative B. Goodfellow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 349**, DEPARTMENT OF AGRICULTURE AND FOOD AUDIT REQUIREMENTS, by Representative C. Buttars, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 147**, MUNICIPAL CODE CONDEMNATION AMENDMENTS, by Representative L. Christensen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 263**, STATE RETIREMENT SYSTEM AMENDMENTS, by Representative B. King, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 238**, WORKERS' COMPENSATION ACCESS TO MEDICAL RECORDS, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 358**, AMENDMENTS TO ACCESS TO HEALTH CARE PROVIDERS, by Representative B. Dee, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 336**, CLAIMS ON REAL PROPERTY, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 294**, PURCHASE OF FIREARMS AMENDMENTS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 250, H.B. 295, H.B. 347, H.B. 122, H.B. 125, H.B. 148, H.B. 241, H.B. 365, H.J.R. 13, H.B. 343, H.B. 335, H.B. 349, H.B. 147, H.B. 263, H.B. 238, H.B. 358, H.B. 336, and H.B. 294** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Ferry, the House voted to refuse to concur with the Senate amendments to **H.B. 138**, TRESPASSING ON STATE PARK LANDS, and to request the Senate recede from their amendments.

* * *

On motion of Representative Styler, the House voted to concur in the Senate amendments to **Sub. H.B. 165**, CHILD PROTECTION REGISTRY.

Sub. H.B. 165, as amended by the Senate, then passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Bird | Bourdeaux | Bryson | Buffmire |
| Bush | Buttars | Buxton | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|-------------|-------------|
| Alexander | Biskupski | Bowman | Christensen |
| Curtis | Duckworth | Hendrickson | Morgan |
| Ure | | | |

Sub. H.B. 165, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to **H.B. 86**, PRIMARY CARE NETWORK AMENDMENTS.

H.B. 86, as amended by the Senate, then passed on the following roll call:

Yeas, 53; Nays, 16; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|----------|----------|----------|-----------|
| S. Allen | Anderson | Barrus | Becker |
| Bennion | Bigelow | Bird | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| Daniels | Dee | Dillree | Duckworth |

| | | | |
|--------------|-------------|-----------|-----------|
| Dunnigan | Goodfellow | Gowans | Hansen |
| Hardy | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Moss | Murray | Newbold |
| Noel | Pace | Seitz | Shurtliff |
| Styler | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|-----------|---------|----------|--------|
| Agard | Adams | D. Cox | Dayton |
| Donnelson | Ferrin | Ferry | Frank |
| Harper | Hughes | Kiser | Morley |
| Peterson | Philpot | Thompson | Ure |

Absent or not voting were: Representatives

| | | | |
|-----------|-----------|-------------|--------|
| Alexander | Biskupski | Christensen | Curtis |
| Dougall | G. Snow | | |

H.B. 86, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate passed, **1st Sub. H.B. 149**, NEW AUTOMOBILE FRANCHISE ACT, by Representative G. Curtis, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 292**, VEHICLE FRANCHISE AMENDMENTS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 303**, CHILD WELFARE REVISIONS, by Representative S. Mascaro, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 325**, MOTOR VEHICLE INSURANCE AMENDMENT, by Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 149**, **H.B. 292**, **H.B. 303**, and **H.B. 325** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **1st Sub. S.B. 48**, UNIFORM FIREARM LAWS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **4th Sub. S.B. 230**, READING ACHIEVEMENT PROGRAM, by Senator J. Evans, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 48** and **4th Sub. S.B. 230** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate transmits **S.B. 200**, LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS, by Senator P. Knudson, for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

THIRD READING CALENDAR

S.B. 234, STATE FAIR PARK LEASING AGREEMENTS, read the third time by short title and placed on its final passage.

S.B. 234 then passed on the following roll call:

Yeas, 56; Nays, 10; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | Adams | Anderson | Barrus |
| Becker | Bennion | Bird | Bourdeaux |
| Bowman | Bryson | Buffmire | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Duckworth | Ferry |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | Morgan | Moss | Murray |
| Newbold | Noel | Pace | Peterson |
| Seitz | Shurtliff | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|---------|-----------|----------|----------|
| Bigelow | Donnelson | Dougall | Dunnigan |
| Ferrin | Frank | Lockhart | Morley |
| Philpot | Thompson | | |

Absent or not voting were: Representatives

| | | | |
|-----------|------------|-----------|-------------|
| Alexander | S. Allen | Biskupski | Christensen |
| Hughes | B. Johnson | Jones | McGee |
| G. Snow | | | |

S.B. 234 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **Sub. S.B. 55**.

Sub. S.B. 55, GOVERNMENTAL IMMUNITY ACT, was before the House on its final passage.

Sub. S.B. 55 then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bowman |
| Bryson | Buffmire | Bush | Buttars |
| Buxton | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Lawrence | Litvack | Love |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Seitz | Shurtliff |
| G. Snow | Styler | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative

Morley

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|----------|------|
| Bourdeaux | Christensen | Hughes | Last |
| Lockhart | Philpot | Thompson | |

Sub. S.B. 55 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Ure, the House voted to uncircle **2nd Sub. S.B. 215**.

2nd Sub. S.B. 215, COUNTY POWERS AMENDMENTS, was before the House on its final passage.

2nd Sub. S.B. 215 then passed on the following roll call:

Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|--------|-----------|----------|----------|
| Agard | Alexander | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |

| | | | |
|-----------|--------------|-------------|-------------|
| Bird | Biskupski | Bowman | Bryson |
| Buffmire | Buxton | Christensen | D. Clark |
| S. Clark | D. Cox | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Pace |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Styler | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|--------|-------------|------------|---------|
| Adams | Bourdeaux | Bush | Buttars |
| Curtis | Hendrickson | B. Johnson | |

2nd Sub. S.B. 215 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 8:40 p.m.

Speaker Stephens called the House to order at 8:40 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **1st Sub. H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, by Representative D. Bordeaux, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Joint Conference Committee comprised of Senators Stephenson, Waddoups, and Allen, and Representatives Bourdeaux, Harper, and Christensen, recommends **H.B. 239, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX**, by Representative D. Bourdeaux, be replaced and favorably recommends **1st Sub. H.B. 239, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX**.

Senator Stephenson,
Senate Chair
Representative Bourdeaux,
House Chair

Report filed. On motion of Representative Bourdeaux, the House voted to adopt the Joint Conference Committee Report.

Sub. H.B. 239 then passed on the following roll call:

Yeas, 48; Nays, 21; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Agard | Adams | Anderson | Barrus |
| Becker | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| Dayton | Dee | Dillree | Duckworth |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Litvack | Mascaro |
| McGee | Morgan | Moss | Murray |
| Noel | Pace | Seitz | Shurtliff |
| Thompson | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|-----------|----------|
| Bennion | Bigelow | D. Cox | Curtis |
| Daniels | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Hughes | King |
| Lockhart | Love | McCartney | Morley |
| Peterson | Philpot | G. Snow | Styler |
| Urquhart | | | |

Absent or not voting were: Representatives

| | | | |
|-----------|----------|----------|-------|
| Alexander | S. Allen | Buffmire | Frank |
| Newbold | Ure | | |

Sub. H.B. 239 transmitted to the Senate for signature of the President.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **H.B. 273**, TAX AND CHARGE AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 3, 2004

The Joint Conference Committee comprised of Senator Bramble, Hellewell, and Allen, and Representatives Harper, Cox, and King, recommends **H.B. 273**, TAX AND CHARGE AMENDMENTS, by Representative W. Harper, with the following amendments:

Include all the House amendments on pages 1, 2, 3, 13, 13a, 13b, 47, 48, 50, 51, 56, 108, 113, 114, 132, 133, 162, and 188 of the lilac copies dated 2-25-2004, with the following changes:

1. Page 1, Lines 26 through 27:

26 § ~~[[F]]~~ provides that certain state sales and use tax revenues ~~Â~~
ARE REQUIRED TO ~~Â~~ be

26a deposited into the Remote

27 Sales Restricted Account;~~[[F]]~~ §

2. Page 2, Lines 28 through 31:

28 § ~~[[F]]~~ ~~Â~~ ~~[repeals language requiring]~~ REQUIRES ~~Â~~ the Division
of Finance to deposit any

28a revenues in the

29 Remote Sales Restricted Account ~~Â~~ AS OF JULY 1, 2004 ~~Â~~ into the
General Fund;

30 ► provides that the Remote Sales Restricted Account shall earn interest and that the

31 interest shall be deposited into the account;[[{}]] §

3. Page 55, Line 1694 through Page 56, Line 1705:

1694 § [[{}]](7) (a) Notwithstanding Subsection (3)(a), for fiscal years beginning on or after fiscal

1695 year [[2003–04]] 2004–05 , the commission shall each year on or before the September 30 immediately

1696 following the last day of the fiscal year deposit the difference described in Subsection (7)(b)

1697 into the Remote Sales Restricted Account created in Section 59–12–103.2 if that difference is

1698 greater than \$0.

1699 (b) The difference described in Subsection (7)(a) is equal to the difference between:

1700 (i) the total amount of the following revenues the commission received from sellers

1701 collecting a tax in accordance with Subsection 59–12–107(1)(b) for the fiscal year immediately

1702 preceding the September 30 described in Subsection (7)(a):

1703 (A) revenues under Subsection (2)(a)(i); and

1704 (B) revenues under Subsection (2)(b)(i); and

1705 (ii) [[~~\$7,279,673~~]] \$8,779,673 .[[{}]] §

4. Page 56, Lines 1710 through 1715b:

1710 § [F] [[(2) On or before December 1, 2004, the Division of Finance shall deposit any

1711 revenues in the Remote Sales Restricted Account into the General Fund.]] [{}]

1712 [[F]](2) The account shall be funded from the portion of the sales and use tax deposited by

1713 the commission as provided in Section 59–12–103.

1714 (3) (a) The account shall earn interest.

1715 (b) The interest described in Subsection (3)(a) shall be deposited into the account.

1715a^H (4) THE DIVISION OF FINANCE SHALL DEPOSIT ANY REVENUES IN THE REMOTE SALES

1715b RESTRICTED ACCOUNT AS OF JULY 1, 2004, INTO THE GENERAL FUND. [[H]] §

5. Page 70, Lines 2151 through 2153:

2151 (1) (a) Except as provided in Subsection (1)(e) or Sections 59-12-107.1 through [59-12-107.3] 59-12-107.4 and subject to Subsection (1)(f) ,

2152 each seller shall pay or collect and remit the sales and use taxes imposed by this chapter if

2153 within this state the seller:

6. Page 72, Line 2211:

2211 within this state.

(f) (i) As used in this Subsection (1)(f):

(A) “affiliated group” is as defined in Section 59-7-101, except that “affiliated group” includes a corporation that is qualified to do business but is not otherwise doing business in this state;

(B) “common ownership” is as defined in Section 59-7-101;

(C) “related seller” means a seller that:

(I) is not required to pay or collect and remit sales and use taxes under Subsection (1)(a) or Section 59-12-103.1;

(II) is:

(Aa) related to a seller that is required to pay or collect and remit sales and use taxes under Subsection (1)(a) as part of an affiliated group or because of common ownership; or

(Bb) a limited liability company owned by the parent corporation of an affiliated group if that parent corporation of the affiliated group is required to pay or collect and remit sales and use taxes under Subsection (1)(a); and

(III) does not voluntarily collect and remit a tax under Subsection (1)(b)(i).

(ii) A seller is not required to pay or collect and remit sales and use taxes under Subsection (1)(a):

- (A) if the seller is a related seller;
- (B) if the seller to which the related seller is related does not engage in any of the following activities on behalf of the related seller:
 - (I) advertising;
 - (II) marketing;
 - (III) sales; or
 - (IV) other services; and
- (C) if the seller to which the related seller is related accepts the return of an item sold by the related seller, the seller to which the related seller is related accepts the return of that item:
 - (I) sold by a seller that is not a related seller; and
 - (II) on the same terms as the return of an item sold by that seller to which the related seller is related.

7. Page 72, Lines 2212 through 2213:

2212(2) (a) Except as provided in Sections 59–12–107.1 through [59–12–107.3] 59–12–107.4,

2213 [[a seller shall collect]] a tax under this chapter shall be collected from a purchaser.

Senator Bramble,
Senate Chair
Representative Harper,
House Chair

Report filed. On motion of Representative Harper, the House voted to adopt the Joint Conference Committee Report.

H.B. 273 then passed on the following roll call:

Yeas, 53; Nays, 16; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|--------------|-------------|
| Aagard | Alexander | S. Allen | Anderson |
| Becker | Bigelow | Biskupski | Bourdeaux |
| Bowman | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dee | Dillree | Dougall |
| Duckworth | Dunnigan | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |

| | | | |
|-------------|---------|--------|---------|
| McCartney | McGee | Morgan | Moss |
| Murray | Noel | Pace | Seitz |
| Shurtliff | G. Snow | Styler | Wallace |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|----------|---------|-----------|----------|
| Barrus | Bennion | Bird | Bryson |
| Bush | Dayton | Donnelson | Ferrin |
| Hogue | Hughes | Lockhart | Morley |
| Peterson | Philpot | Thompson | Urquhart |

Absent or not voting were: Representatives

| | | | |
|-------|----------|-------|---------|
| Adams | Buffmire | Frank | Newbold |
| Ure | Webb | | |

H.B. 273 transmitted to the Senate for signature of the President.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate substituted and passed, **Senate 1st Sub. H.B. 162**, MUNICIPAL ELECTION AMENDMENTS, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. H.B. 162**, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 3, 2004

The Senate passed **S.J.R. 10**, MASTER STUDY RESOLUTION, by Senator M. Waddoups, with the following amendments:

1. Page 15, Line 448:
After line 448 insert "Study of Sections 78–27–37 through 42, Liability Reform Act."
and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 10**, read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, under suspension of the rules, the House voted to lift **S.J.R. 10** and **S.B. 39** from the Rules Committee, consider them read the second time by short title and place **S.J.R. 10** at the top and **S.B. 39** at the bottom of the calendar for third reading.

THIRD READING CALENDAR

S.J.R. 10, MASTER STUDY RESOLUTION, read the third time by short title and placed on its final passage.

On motion of Representative Curtis, the House voted to circle **S.J.R. 10**.

MISCELLANEOUS BUSINESS

On motion of Representative Harper, the House voted to reconsider its action on **S.B. 200**.

RECONSIDERATION OF S.B. 200

S.B. 200, LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS, was before the House upon its reconsideration.

S.B. 200 then passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|--------------|------------|----------|-------------|
| Agard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Litvack |
| Lockhart | Love | Mascaro | McCartney |
| McGee | Morley | Moss | Murray |
| Newbold | Noel | Pace | Peterson |

| | | | |
|-------------|----------|-----------|---------|
| Philpot | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| M. Stephens | | | |

Voting in the negative was: Representative Daniels

Absent or not voting were: Representatives

| | | | |
|---------|------------|----------|--------|
| Adams | Alexander | Buffmire | Dayton |
| Dillree | Goodfellow | Morgan | Ure |
| Webb | | | |

S.B. 200 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Christensen, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 140, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS.**

3rd Sub. H.B. 140, as amended by the Senate, then passed on the following roll call:

Yeas, 48; Nays, 24; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dunnigan | Ferrin |
| Frank | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Kiser |
| Last | Lockhart | Love | Morley |
| Newbold | Noel | Peterson | Philpot |
| Seitz | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|------------|---------|
| Becker | Biskupski | Daniels | Dougall |
| Duckworth | Ferry | Goodfellow | Gowans |

| | | | |
|-----------|----------|-------------|---------|
| Hansen | Hardy | Hendrickson | Jones |
| King | Lawrence | Litvack | Mascaro |
| McCartney | McGee | Morgan | Moss |
| Murray | Pace | Shurtliff | Webb |

Absent or not voting were: Representatives

| | | |
|-----------|--------|----------|
| Bourdeaux | Bowman | Buffmire |
|-----------|--------|----------|

3rd Sub. H.B. 140, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dougall, the House voted to concur in the Senate amendments to **Sub. H.B. 162**, CANDIDACY FOR MUNICIPAL ELECTIONS.

Sub. H.B. 162, as amended by the Senate, then passed on the following roll call:

Yeas, 64; Nays, 5; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| | | | |
|------------|------------|-----------|--------------|
| Agard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bennion | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Dunnigan | Ferry |
| Frank | Goodfellow | Hansen | Hardy |
| Hogue | Holdaway | Hughes | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Love | Mascaro | McCartney | McGee |
| Morgan | Morley | Moss | Murray |
| Newbold | Noel | Peterson | Philpot |
| Seitz | Shurtliff | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|-----------|--------|-------------|
| Anderson | Duckworth | Gowans | Hendrickson |
| Styler | | | |

Absent or not voting were: Representatives

Bigelow

Buffmire

Ferrin

Harper

Pace

G. Snow

Sub. H.B. 162, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

3rd Sub. S.B. 239, UNFAIR BUSINESS PRACTICES, read the third time by short title and placed on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 2, Lines 37 through 42

Senate 2nd Reading Amendments
3-1-2004

37 (3) (a) Except as provided in Subsection (3) [~~§ (b) (c) §~~] (b) .
“unfair competition” means [(a)] an intentional

37a business

38 act or practice that:

39 (i) (A) is unlawful, unfair, or fraudulent; and

40 [(ii)] (B) leads to a material diminution in value of intellectual property[.]; and

(ii) is one of the following:

40a ~~§ [(b) “UNFAIR COMPETITION” INCLUDES:]~~

40b [(i)] (A) DAMAGING AN INTERNET WEBSITE;

40c [(ii)] (B) COMPUTER HACKING;

40d [(iii)] (C) CYBER-TERRORISM;

40e [(iv)] (D) [MISUSE] infringement OF A PATENT, TRADEMARK, OR TRADE NAME;

40f [(v)] (E) A SOFTWARE LICENSE VIOLATION;

40g [(vi)] (F) MISUSE OF AN INTERNET DOMAIN NAME;

40h [(vii)] (G) MISLEADING INTERNET DOMAIN NAME DIRECTIONS;

40i [(viii)] (H) PREDATORY HIRING PRACTICES; or

40j ~~[(ix)]~~ (I) ENCOURAGING A PERSON TO VIOLATE A PROVISION OF AN EMPLOYMENT CONTRACT

40k THAT PROHIBITS COMPETITION OR DISCLOSURE~~[[OR]]~~ .

40l ~~[(x) MAKING FALSE OR MISLEADING CLAIMS.]~~

41 ~~[(b)]~~~~[(e)]~~ §

41 (b) Notwithstanding § ~~[[Subsection] SUBSECTIONS]]~~ Subsection § (3)(a) ~~[[§ OR (b)]]~~ § . “unfair

41a competition” does not include the

42 departure and hiring of an employee by a competitor.

Representative Dougall proposed the following substitute motion to amend:

2. Page 2, Lines 37 through 42

Senate 2nd Reading Amendments
3-1-2004

37 (3) (a) Except as provided in Subsection (3) ~~[[§ (b) (c) §]]~~ (b) .
“unfair competition” means ~~[[a]]~~ an intentional

37a business

38 act or practice that:

39 (i) (A) is unlawful, unfair, or fraudulent; and

40 ~~[[(ii)]]~~ (B) leads to a material diminution in value of intellectual
property~~[[.]]~~ ; and

(ii) is one of the following:

40a § ~~[[(b) “UNFAIR COMPETITION” INCLUDES:]]~~

40b ~~[[(i)]]~~ (A) DAMAGING AN INTERNET WEBSITE;

40c ~~[[(ii)]]~~ (B) COMPUTER HACKING;

40d ~~[[(iii)]]~~ (C) CYBER-TERRORISM;

40e ~~[[(iv)]]~~ (D) ~~[[MISUSE]]~~ infringement OF A PATENT,
TRADEMARK, OR TRADE NAME;

40f ~~[[(v)]]~~ (E) A SOFTWARE LICENSE VIOLATION;

40g ~~[[(vi)]]~~ (F) MISUSE OF AN INTERNET DOMAIN NAME;

40h ~~[[(vii)]]~~ (G) MISLEADING INTERNET DOMAIN NAME
DIRECTIONS; OR

- 40i ~~[[~~(viii)~~]]~~ (H) PREDATORY HIRING PRACTICES:
- 40l ~~[[~~(x) MAKING FALSE OR MISLEADING CLAIMS.~~]]~~
- 41 ~~[(b)]~~ ~~[[~~(e)~~]]~~ §
- 41 (b) Notwithstanding § ~~[[Subsection]~~ SUBSECTIONS]]
Subsection § (3)(a) ~~[[§ OR (b)]]~~ § , “unfair
 41a competition” does not include the
 42 departure and hiring of an employee by a competitor.
3. Page 2, line 35:
 Senate 2nd Reading Amendments 3–1–2004 (Goldenrod)
 After line 35 insert: (2) “Cyber–terrorism” means:
(a) the unlawful use of computing resources to intimidate or coerce
others;
(b) accessing a computer without authorization or exceeding
authorized access;
(c) willfully communicating, delivering, or causing the transmission of
a program, information, code, or command without authorization or
exceeding authorized access;
(d) intentionally or recklessly;
(I) intends to defraud or materially cause damage or disruption to any
computing resources or to the owner of any computing resources; or
(ii) intends to materially cause damage or disruption to any computing
resources indirectly through another party’s computing resources.
4. Page 2, lines 40b – 40c:
 Delete lines 40b and 40c
5. Page 2, lines 40g – 40h:
 Delete lines 40g and 40h
 Renumber accordingly.

Representative Dougall’s substitute motion to amend passed on a voice vote.

3rd Sub. S.B. 239, as amended, then passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-----------|---------|----------|-----------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Biskupski |
| Bourdeaux | Bush | Buttars | Buxton |

| | | | |
|----------|--------------|------------|-------------|
| D. Clark | S. Clark | D. Cox | Daniels |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Holdaway | E. Hutchings | B. Johnson | Jones |
| King | Last | Lawrence | Lockhart |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Newbold | Noel |
| Pace | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|---------|-------------|
| Alexander | Becker | Bryson | Christensen |
| Curtis | Dayton | Dougall | Harper |
| Hogue | Hughes | Kiser | Litvack |
| Love | Peterson | Philpot | Ure |

Absent or not voting were: Representatives

| | | | |
|--------|--------|----------|-------|
| Bird | Bowman | Buffmire | Frank |
| Morley | | | |

3rd Sub. S.B. 239, as amended, returned to the Senate for further consideration.

INTENT LANGUAGE FOR 3RD SUB. S.B. 239

On motion of Representative Urquhart, the House voted to print the following intent language in the House Journal.

“Unfair competition includes Cyber–Terrorism which in addition to its definition it is meant to include:

- 1) damaging an internet website
- 2) computer hacking
- 3) misuse of an internet domain name, and
- 4) misleading internet domain name directions.”

THIRD READING CALENDAR

S.B. 192, LOAN TRANSACTIONS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 5, Lines 140 through 145

140 (ii) the number of the driver license or other form of positive identification presented

143 by the person, and notations of discrepancies if the person's physical description, including gender, height, weight, race, age, hair

141 color, and eye color~~[[, based on]]~~ does not correspond with identification provided by the person;

142 ~~[[iii) the number of the driver license or other form of positive identification presented~~

143 ~~by the person;]~~

144 ~~[[iv)]~~ (iii) the person's signature; and

145 ~~[[v)]~~ (vi) a legible fingerprint of the person's right thumb, or if the right thumb cannot be

2. Page 8, Lines 236 through 238

Senate Committee Amendments

2-25-2004:

236 (2) (a) A law enforcement agency may conduct random reasonable inspections of

237 pawnshops ~~[[to monitor]]~~ for the purpose of monitoring compliance with the reporting requirements of this chapter. The inspections may be conducted to:

(i) confirm that pawned items match the description reported to the database by the pawnshop; and

(ii) make spot checks of property at the pawnshop to determine if the property is appropriately reported.

238 (b) Inspections under Subsection (2)(a) shall be performed during the regular business hours of the pawnshop.

3. Page 13, Line 385

Senate Committee Amendments

2-25-2004:

385 if the ordinances are uniform and equal in application to pawnshops and pawnbrokers and other similar businesses or activities :

4. Page 13, Lines 387 through 388

Senate Committee Amendments

2-25-2004:

387 (c) enacting zoning ordinances that restrict areas where pawnshops and other similar businesses or activities can be located [and
 388 the pawnshops' hours of operation].

Representative Harper proposed the following substitute motion to amend:

Include all of Representative Dunnigan's motion to amend plus the following:

- 1. Page 6a, Line 180j
 Senate Committee Amendments
 2-25-2004:

180j OPENED AGAIN FOR REQUEST FOR PROPOSAL. §
(5) Information entered in the database shall be retained for five
years and shall then be deleted.

Representative Harper's substitute motion to amend passed on a voice vote.

S.B. 192, as amended, then passed on the following roll call:

Yeas, 62; Nays, 1; Absent or not voting, 12.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|-----------|-------------|
| Aagard | S. Allen | Anderson | Barrus |
| Becker | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Daniels | Dayton | Dee | Dillree |
| Donnelson | Dougall | Duckworth | Dunnigan |
| Ferrin | Ferry | Hansen | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | King |
| Last | Litvack | Lockhart | Love |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Thompson | Ure | Wallace |
| Webb | M. Stephens | | |

Voting in the negative was: Representative
Pace

Absent or not voting were: Representatives

| | | | |
|------------|-----------|-------------|----------|
| Adams | Alexander | Buffmire | Frank |
| Goodfellow | Gowans | Hendrickson | Kiser |
| Lawrence | McGee | Philpot | Urquhart |

S.B. 192, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The Senate passed, upon reconsideration, as amended, **H.J.R. 25**, JOINT RESOLUTION ON MARRIAGE, by Representative L. Christensen, and it is transmitted for further consideration; and

The Senate passed **H.B. 108**, INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES, by Representative M. Newbold, with the following amendments:

1. Page 2, Line 49
After "Board of Education" insert "OR A LOCAL SCHOOL DISTRICT"
2. Page 3, Line 74
After "Board of Education" insert "OR A LOCAL SCHOOL DISTRICT"
3. Page 5, Line 150
After "Benefit Act." delete "may" and insert "SHALL"

and it is transmitted to the House for further consideration; and

The Senate passed, upon reconsideration, as amended, **2nd Sub. H.B. 160**, MORTGAGE ACT AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.J.R. 25**, **H.B. 108**, as amended, and **2nd Sub. H.B. 160**, placed on the calendar for concurrence.

* * *

Mr. Speaker:

March 3, 2004

The Senate refuses to concur with the House Amendments to **2nd Sub. S.B. 165, WORKERS' COMPENSATION AMENDMENTS**, by Senator C. Bramble, and requests the House recede from its amendments.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Curtis, the House voted to refuse to recede from the Senate amendments to **2nd Sub. S.B. 165** and authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Alexander, Snow, and Goodfellow.

UNFINISHED BUSINESS

On motion of Representative Curtis, the House voted to uncircle **S.J.R. 10**.

S.J.R. 10, MASTER STUDY RESOLUTION, was before the House on its final passage.

Representative Becker proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Disposal and Recycling of Electronic Equipment"

Representative Becker's motion to amend passed on a voice vote.

###

Representative Last proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Feasibility of Medical Reimbursement Accounts for Public Employees"

Representative Last's motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Divorce related issues"

Representative Hansen's motion to amend passed on a voice vote.

###

Representative D. Clark proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Review of approval process for revenue bonds on capital projects"

Representative D. Clark's motion to amend passed on a voice vote.

###

Representative Johnson proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Private deer herds possibility"

Representative Johnson's motion to amend passed on a voice vote.

###

Representative Dayton proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Consequences of mutualization of Workers Compensation Fund"

Representative Dayton's motion to amend passed on a voice vote.

###

Representative Bennion proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Electrical generation open bid process"

Representative Bennion's motion to amend passed on a voice vote.

###

Representative Dunnigan proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Section 125. Cafeteria plans for state legislators"

Representative Dunnigan's motion to amend passed on a voice vote.

###

Representative Moss proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Public Schools Writing Across the Curriculum"

Representative Moss' motion to amend passed on a voice vote.

###

Representative Ferrin proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "Medical Reimbursement Accounts – health insurance for public education"

Representative Ferrin's motion to amend passed on a voice vote.

###

Representative Ure proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "National Identification number replacing brand inspection"

Representative Ure's motion to amend passed on a voice vote.

###

Representative Dee proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, "to study the interaction between Sections 10-3-830 and 10-3-1206 relating to forms of municipal government, whether there is a conflict between those sections and, if so, how to resolve the conflict."

Representative Dee's motion to amend passed on a voice vote.

###

Representative S. Clark proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, “Design–build and other construction delivery methods”

Representative S. Clark’s motion to amend passed on a voice vote.

###

Representative Philpot proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, “Right to life”
2. Page 15, After line 448:
Insert a new study item, “CCWP revisions”

Representative Philpot’s motion to amend passed on a voice vote.

###

Representative Lockhart proposed the following amendment:

1. Page 15, After line 448:
Insert a new study item, “Certified medication aide pilot program for long term care facilities”

Representative Lockhart’s motion to amend passed on a voice vote.

S.J.R. 10, as amended, then passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

| | | | |
|-----------|--------------|------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Barrus | Becker | Bennion | Bigelow |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Curtis |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |

| | | | |
|-----------|----------|-------------|-----------|
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | Shurtliff |
| G. Snow | Thompson | Ure | Urquhart |
| Wallace | Webb | M. Stephens | |

Voting in the negative was: Representative
Pace

Absent or not voting were: Representatives

| | | | |
|-----------|-------------|----------|---------|
| Alexander | Bird | Buffmire | Daniels |
| Dayton | Hendrickson | Styler | |

S.J.R. 10, as amended, returned to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Christensen, the House voted to concur in the Senate amendments to **H.J.R. 25**, JOINT RESOLUTION ON MARRIAGE.

H.J.R. 25, as amended by the Senate, then passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|--------------|-------------|----------|----------|
| Agard | Adams | S. Allen | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Hardy |
| Harper | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Jones | Kiser |
| Last | Lawrence | Lockhart | Love |
| Mascaro | Morgan | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|------------|-----------|---------|
| Becker | Biskupski | Bourdeaux | Daniels |
| Duckworth | Goodfellow | Gowans | Hansen |
| King | Litvack | McCartney | McGee |
| Moss | Shurtliff | | |

Absent or not voting were: Representatives

| | | |
|-----------|----------|-------------|
| Alexander | Buffmire | Hendrickson |
|-----------|----------|-------------|

H.J.R. 25, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Newbold, the House voted to concur in the Senate amendments to **H.B. 108**, INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES.

H.B. 108, as amended by the Senate, then passed on the following roll call:

Yeas, 56; Nays, 18; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|----------|--------------|------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Frank | Goodfellow |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Last | Lawrence | Lockhart |
| Love | Mascaro | Morgan | Morley |
| Murray | Newbold | Noel | Peterson |
| Philpot | Seitz | Thompson | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|--------|-----------|-----------|
| Bigelow | Bird | Biskupski | Bourdeaux |
| Curtis | Ferry | Gowans | Hansen |
| Hendrickson | King | Litvack | McCartney |
| McGee | Moss | Pace | Shurtliff |
| G. Snow | Styler | | |

Absent or not voting was: Representative Buffmire

H.B. 108, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Harper, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 160**, MORTGAGE ACT AMENDMENTS.

2nd Sub. H.B. 160, as amended by the Senate, then passed on the following roll call:

Yeas, 70; Nays, 3; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|--------------|------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Bird | Biskupski | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Dougall |
| Duckworth | Dunnigan | Ferrin | Ferry |
| Frank | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morley |
| Moss | Murray | Newbold | Noel |
| Peterson | Seitz | Shurtliff | G. Snow |
| Styler | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | |
|--------|------|---------|
| Morgan | Pace | Philpot |
|--------|------|---------|

Absent or not voting were: Representatives

| | |
|----------|----------|
| Buffmire | Thompson |
|----------|----------|

2nd Sub. H.B. 160, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate concurred in the House amendments and passed **1st Sub. S.B. 170**, PUBLIC TRANSIT DISTRICT AMENDMENTS, by Senator J. Evans, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 196**, COURT FEE ADJUSTMENTS, by Senator D. Gladwell, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **1st Sub. S.B. 245**, MEDICAL DISPUTE RESOLUTION AMENDMENTS, by Senator L. Blackham, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. S.B. 170**, **2nd Sub. S.B. 196**, and **Sub. S.B. 245** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2004

The President of the Senate has signed **3rd Sub. H.B. 56**, LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES, by Representative S. Mascaro, and it is transmitted for the signature of the Speaker; and

The Senate receded from its amendments and passed **H.B. 138**, TRESPASSING ON STATE PARK LANDS, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 105**, CONTINUING EDUCATION FOR CONTRACTORS, by Representative J. S. Adams, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 165**, CHILD PROTECTION REGISTRY, by Representative M. Styler, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 312**, NONPARTICIPATING TOBACCO MANUFACTURER'S FEE, by Representative D. Ure, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **4th Sub. H.B. 323**, SPYWARE REGULATION, by Representative S. Urquhart, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 86**, PRIMARY CARE NETWORK AMENDMENTS, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 114**, MONEY MANAGEMENT ACT AMENDMENTS, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 128**, AMENDMENTS TO OPERATING UNDER THE INFLUENCE, by Representative D. Love, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 157**, TRANSPORTATION AMENDMENTS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 158**, WATER SHARES IN A MUNICIPAL WATER COMPANY, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 119**, FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 133**, PROPERTY TAX – VETERAN'S EXEMPTION, by Representative D. Bush, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 225**, PROVISION FOR EMERGENCY MEDICAL SERVICES, by Representative P. Wallace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 289**, ALCOHOLIC BEVERAGE AMENDMENTS RELATED TO MINORS, by Representative L. Pace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 279**, COUNTERFEIT TOBACCO PRODUCTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. H.B. 56, H.B. 138, Sub. H.B. 105, Sub. H.B. 165, Sub. H.B. 312, 4th Sub. H.B. 323, H.B. 86, H.B. 114, 2nd Sub. H.B. 128, H.B. 157, H.B. 158, Sub. H.B. 119, H.B. 133, H.B. 225, H.B. 289, and H.B. 279** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: March 3, 2004
The Senate substituted and passed, **Senate 2nd Sub. H.B. 311**, REDEVELOPMENT AGENCY AMENDMENTS, by Representative J. S. Adams, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 311**, placed on the calendar for concurrence.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 3, 2004
The Joint Conference Committee comprised of Senators Hickman, Eastman, and Mayne, and Representatives Urquhart, Adams, and Goodfellow, recommends **1st Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman, be replaced and favorably recommends **2nd Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS.

Senator Hickman,
Senate Chair
Representative Urquhart,
House Chair

Report filed. On motion of Representative Urquhart, the House voted to adopt the Joint Conference Committee Report.

2nd Sub. S.B. 66 then passed on the following roll call:

Yeas, 59; Nays, 12; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|-------------|-------------|
| Agard | Adams | S. Allen | Barrus |
| Becker | Bennion | Bigelow | Biskupski |
| Bush | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | D. Cox | Daniels |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | Morley | Moss | Newbold |
| Noel | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|-----------|----------|---------|--------|
| Alexander | Anderson | Bird | Bryson |
| Curtis | Dayton | Dougall | McGee |
| Murray | Pace | Wallace | Webb |

Absent or not voting were: Representatives

| | | | |
|-----------|--------|----------|--------|
| Bourdeaux | Bowman | Buffmire | Morgan |
|-----------|--------|----------|--------|

2nd Sub. S.B. 66 transmitted to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Cox, the House voted to refuse to concur with the Senate amendments to **2nd Sub. H.B. 311** and to request the Senate to recede from its amendments.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The Senate substituted and passed, **Senate 4th Sub. H.B. 268**, CHILD WELFARE PROCESSES, by Representative M. Thompson, and it is transmitted for further consideration; and

The Senate passed **H.B. 357**, CONTINUING EDUCATION FOR REAL ESTATE PROFESSIONALS, by Representative J. S. Adams, with the following amendments:

1. Page 1, Line 12
 12 This bill:
 ▶ MODIFIES PROVISIONS RELATED TO THE RENEWAL OF AN EXPIRED LICENSE;.

2. Page 3, Line 59
 59 (B) by ~~[[competing]]~~ COMPLETING 12 hours of professional education approved by the division and

3. Page 3, Line 79
 79 education~~[[, the subject of which shall be]]~~ ;
 (A) IN ADDITION TO THE REQUIREMENTS FOR A TIMELY RENEWAL; AND
 (B) ON A SUBJECT determined by the commission by rule MADE IN ACCORDANCE WITH TITLE 63, CHAPTER 46a, UTAH ADMINISTRATIVE RULEMAKING ACT ; and

4. Page 3, Line 85 through Page 4, Line 91
 85 (3) (a) As a condition for the activation of an inactive license~~[[, a]]~~ THAT WAS IN AN INACTIVE STATUS AT THE TIME OF THE LICENSEE'S MOST RECENT RENEWAL, THE licensee shall supply the
 86 division with proof of:
 87 ~~[[a]]~~ (i) successful completion of the respective sales agent or broker licensing examination
 88 within six months prior to ~~[[activation]]~~ APPLYING TO ACTIVATE THE LICENSE ; or
 89 ~~[[b]]~~ (ii) the successful completion of ~~[[the number of]]~~ 12 hours of continuing education THAT THE LICENSEE WOULD HAVE BEEN required TO COMPLETE
 90 under Subsection (2)(a) ~~[[within one year before activation]]~~ IF THE LICENSE HAD BEEN ON ACTIVE STATUS AT THE TIME OF THE LICENSEE'S MOST RECENT RENEWAL .
 (b) The commission may, IN ACCORDANCE WITH TITLE 63, CHAPTER 46a, UTAH ADMINISTRATIVE RULEMAKING ACT establish by
 91 rule ;
 (i) the nature or type of continuing education required for reactivation OF A LICENSE; AND
 (ii) HOW LONG PRIOR TO REACTIVATION THE

CONTINUING EDUCATION MUST HAVE BEEN COMPLETED .
and it is transmitted to the House for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **4th Sub. H.B. 268** and **H.B. 357**, placed on the calendar for concurrence.

THIRD READING CALENDAR

S.B. 208, FUNDING FOR TOURISM, read the third time by short title and placed on its final passage.

On motion of Representative Allen, the House voted to delete **S.B. 208** in title and body and insert **Sub. S.B. 208** in lieu thereof.

On motion of Representative Allen, the House voted to circle **Sub. S.B. 208**.

* * *

S.B. 224, HOMELESS COORDINATING COMMITTEE, read the third time by short title and placed on its final passage.

S.B. 224 then passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-------------|--------------|-------------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Becker | Bennion |
| Bigelow | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Daniels | Dayton | Dee |
| Dillree | Donnelson | Dougall | Dunnigan |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Harper | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Morgan |
| Morley | Moss | Murray | Newbold |
| Noel | Pace | Peterson | Philpot |
| Seitz | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

CONCURRENCE CALENDAR

On motion of Representative Thompson, the House voted to concur in the Senate amendments to **4th Sub. H.B. 268**, CHILD WELFARE PROCESSES.

4th Sub. H.B. 268, as amended by the Senate, then passed on the following roll call:

Yeas, 66; Nays, 4; Absent or not voting, 5.

Voting in the affirmative were: Representatives

| | | | |
|------------|--------------|------------|-----------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bird | Biskupski |
| Bourdeaux | Bowman | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Daniels | Dayton |
| Dee | Dillree | Donnelson | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Peterson | Philpot | Seitz | Shurtliff |
| Thompson | Ure | Urquhart | Wallace |
| Webb | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|----------|--------|------|--------|
| S. Allen | Becker | Pace | Styler |
|----------|--------|------|--------|

Absent or not voting were: Representatives

| | | | |
|---------|--------|----------|---------|
| Bigelow | Bryson | Buffmire | Dougall |
| G. Snow | | | |

4th Sub. H.B. 268, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Adams, the House voted to concur in the Senate amendments to **H.B. 357**, CONTINUING EDUCATON FOR REAL ESTATE.

H.B. 357, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 16; Absent or not voting, 9.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-----------|--------------|-------------|
| Aagard | Adams | S. Allen | Anderson |
| Becker | Bird | Biskupski | Bowman |
| Bush | Buxton | Christensen | S. Clark |
| D. Cox | Dee | Dillree | Duckworth |
| Dunnigan | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Hendrickson |
| Hogue | Holdaway | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Love | Mascaro |
| McCartney | McGee | Morley | Moss |
| Murray | Noel | Pace | Peterson |
| Seitz | Shurtliff | Styler | Urquhart |
| Wallace | Webb | | |

Voting in the negative were: Representatives

| | | | |
|---------|---------|----------|-------------|
| Barrus | Bennion | Buttars | D. Clark |
| Curtis | Daniels | Dayton | Donnelson |
| Ferrin | Harper | Lockhart | Morgan |
| Newbold | Philpot | Ure | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|-----------|---------|-----------|---------|
| Alexander | Bigelow | Bourdeaux | Bryson |
| Buffmire | Dougall | Hughes | G. Snow |
| Thompson | | | |

H.B. 357, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Styler, the House voted to recess until 10:50 p.m.

Speaker Stephens called the House to order at 10:50 p.m.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 3, 2004

The Joint Conference Committee comprised of Senators Valentine, Bramble, and Allen, and Representatives Christensen, Ferrin, and Daniels, recommends

1st Sub. S.B. 250, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, by Senator J. Valentine, with the following amendments:

1. Page 2, Line 48 through Page 3, Line 61:

48 (3) (a) A person may be included as a member of a class in a class action relating to a tax

49 or fee only if the person ~~is~~ [[f]]:

50 [[a) the person]] (i) exhausts all administrative remedies with the commission; and

51 [[b) A PERSON]] (ii) requests in writing to be included as a member of the class.

(b)(i) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission shall make rules to simplify and expedite the administrative remedies a person shall exhaust as required by Subsection (3)(a).

(ii) The rules required by Subsection (3)(b)(i) may include rules providing for:

(A) expedited filing procedures and forms;

(B) consolidation of hearings procedures as may be reasonably needed to accommodate potential inclusion of similarly situated persons; and

(C) the designation of test or sample cases to avoid multiple hearings.

(iii) The commission shall report to the Revenue and Taxation Interim Committee on the status of the rules required by this Subsection (3)(b) on or before the October 2004 interim meeting.

52 (4) Subject to Subsection (5), in a class action § BROUGHT UNDER THIS SECTION § against

52a the state or its political

53 subdivisions in which members of the class are awarded a refund or credit of a tax or fee by a

54 court of competent jurisdiction, the total amount that may be recovered by members of the

55 class may not exceed the difference between:

56 (a) the sum of:

- 57 (i) the amount of the refund or credit awarded to members of the class; and
 58 (ii) interest as provided in Section 59–1–402; and
 59 (b) if awarded in accordance with Subsection (5), the sum of:
 60 (i) reasonable costs; and
 61 (ii) reasonable attorneys' fees.

Senator Valentine,
 Senate Chair
 Representative Christensen,
 House Chair

Report filed. On motion of Representative Curtis, the House voted to adopt the Joint Conference Committee Report.

Sub. S.B. 250 then passed on the following roll call:

Yeas, 51; Nays, 14; Absent or not voting, 10.

Voting in the affirmative were: Representatives

| | | | |
|-------------|--------------|-------------|-----------|
| Aagard | S. Allen | Barrus | Bennion |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | S. Clark | D. Cox | Curtis |
| Daniels | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Frank |
| Hardy | Harper | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| Kiser | Litvack | Lockhart | Love |
| Mascaro | McCartney | McGee | Moss |
| Murray | Noel | Peterson | Philpot |
| Seitz | Shurtliff | Styler | Thompson |
| Wallace | Webb | M. Stephens | |

Voting in the negative were: Representatives

| | | | |
|------------|--------|--------|-------------|
| Anderson | Becker | Dayton | Dee |
| Goodfellow | Gowans | Hansen | Hendrickson |
| King | Morgan | Morley | Newbold |
| Pace | Ure | | |

Absent or not voting were: Representatives

| | | | |
|----------|-----------|---------|----------|
| Adams | Alexander | Bigelow | Buffmire |
| D. Clark | Dillree | Last | Lawrence |
| G. Snow | Urquhart | | |

Sub. S.B. 250 transmitted to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The President of the Senate has appointed a Conference Committee consisting of Senators Bramble, Bell, and Mayne to meet with a like committee from the House of Representatives to consider or amend **2nd Sub. S.B. 165, WORKERS' COMPENSATION AMENDMENTS**, by Senator C. Bramble.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

* * *

Mr. Speaker: March 3, 2004

The Senate substituted and passed, **Senate 2nd Sub. H.B. 54, VIDEOTAPE OF MINORS**, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 54**, placed on the calendar for concurrence.

UNFINISHED BUSINESS

On motion of Representative Ure, the House voted to uncircle **2nd Sub. S.B. 60**.

2nd Sub. S.B. 60, SPORTS DEVELOPMENT AND TOURISM, RECREATION, CULTURAL, CONVENTION, AND SPORTS FACILITIES TAX AMENDMENTS, was before the House on its final passage.

On motion of Representative Ure, the House voted to delete **2nd Sub. S.B. 60** in title and body and insert **5th Sub. S.B. 60** in lieu thereof.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess.

Speaker Stephens called the House to order at 11:30 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The President of the Senate has signed **1st Sub. H.B. 239**, SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX, by Representative D. Bourdeaux, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 140**, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS, by Representative L. Christensen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 162**, MUNICIPAL ELECTION AMENDMENTS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 273**, TAX AND CHARGE AMENDMENTS, by Representative W. Harper, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **Sub. H.B. 239**, **3rd Sub. H.B. 140**, **Sub. H.B. 162**, and **H.B. 273** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 54**, VIDEOTAPE OF MINORS.

2nd Sub. H.B. 54, as amended by the Senate, then passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|----------|-----------|-------------|-----------|
| Aagard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Bowman | Bryson | Bush |
| Buttars | Buxton | Christensen | D. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |

| | | | |
|--------------|------------|----------|----------|
| Dunnigan | Ferrin | Ferry | Frank |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| E. Hutchings | B. Johnson | Kiser | Last |
| Lawrence | Lockhart | Love | Mascaro |
| Morgan | Morley | Murray | Newbold |
| Noel | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Voting in the negative were: Representatives

| | | | |
|------------|-----------|-----------|---------|
| Becker | Biskupski | Bourdeaux | Daniels |
| Goodfellow | Jones | King | Litvack |
| McCartney | McGee | Moss | |

Absent or not voting were: Representatives

| | | |
|----------|----------|------|
| Buffmire | S. Clark | Pace |
|----------|----------|------|

2nd Sub. H.B. 54, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Peterson, the House voted to concur in the Senate amendments to **Sub. H.B. 330**, ALLOCATION OF TOBACCO FUND AMENDMENTS.

Sub. H.B. 330, as amended by the Senate, then passed on the following roll call:

Yeas, 68; Nays, 5; Absent or not voting, 2.

Voting in the affirmative were: Representatives

| | | | |
|-------------|-----------|-------------|-----------|
| Agard | Adams | Alexander | S. Allen |
| Anderson | Barrus | Bennion | Bigelow |
| Bird | Biskupski | Bourdeaux | Bowman |
| Bryson | Bush | Buttars | Buxton |
| Christensen | D. Clark | S. Clark | D. Cox |
| Curtis | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Gowans |
| Hansen | Hardy | Hendrickson | Hogue |

| | | | |
|-----------|-----------|--------------|-------------|
| Holdaway | Hughes | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Litvack | Lockhart | Love |
| Mascaro | McCartney | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Ure |
| Urquhart | Wallace | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|--------|---------|--------|--------|
| Becker | Daniels | Dayton | Harper |
| McGee | | | |

Absent or not voting were: Representatives

| | |
|----------|----------|
| Buffmire | Thompson |
|----------|----------|

Sub. H.B. 330, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

5th Sub. S.B. 60, SPORTS DEVELOPMENT, TOURISM PROMOTION, AND TOURISM, RECREATION, CULTURAL, CONVENTION, AND SPORTS FACILITIES TAX AMENDMENTS, was before the House on its final passage.

5th Sub. S.B. 60 then failed to pass on the following roll call:

Yeas, 27; Nays, 44; Absent or not voting, 4.

Voting in the affirmative were: Representatives

| | | | |
|-----------|-------------|-------------|--------------|
| Anderson | Becker | Bennion | Biskupski |
| Bryson | Buxton | Christensen | Curtis |
| Daniels | Duckworth | Goodfellow | Gowans |
| Hansen | Hendrickson | Hughes | E. Hutchings |
| King | Kiser | Last | Litvack |
| Mascaro | McCartney | Morgan | Moss |
| Shurtliff | Ure | Webb | |

Voting in the negative were: Representatives

| | | | |
|--------|---------|-----------|----------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bigelow | Bourdeaux | Bowman |
| Bush | Buttars | D. Clark | S. Clark |
| D. Cox | Dayton | Dee | Dillree |

| | | | |
|------------|----------|----------|-------------|
| Donnelson | Dunnigan | Ferrin | Ferry |
| Frank | Hardy | Hogue | Holdaway |
| B. Johnson | Jones | Lawrence | Lockhart |
| Love | McGee | Morley | Murray |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Styler |
| Thompson | Urquhart | Wallace | M. Stephens |

Absent or not voting were: Representatives

| | | | |
|------|----------|---------|--------|
| Bird | Buffmire | Dougall | Harper |
|------|----------|---------|--------|

5th Sub. S.B. 60, returned to the Senate for filing.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 3, 2004

The Senate passed **1st Sub. H.B. 3**, SUPPLEMENTAL APPROPRIATIONS ACT II, by Representative R. Bigelow, with the following amendments:

1. Page 8, Lines 256 – 278
Delete Lines 256 – 278
2. Page 15, Lines 520 – 522
Delete Lines 520 – 522

and it is transmitted to the House for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Bigelow, the House voted to concur in the Senate amendments to **Sub. H.B. 3**.

Sub. H.B. 3, as amended by the Senate, then passed on the following roll call:

Yeas, 48; Nays, 26; Absent or not voting, 1.

Voting in the affirmative were: Representatives

| | | | |
|---------|-------------|-----------|--------------|
| Aagard | Adams | Alexander | S. Allen |
| Barrus | Bigelow | Bird | Bourdeaux |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | S. Clark |
| D. Cox | Curtis | Dee | Dillree |
| Dougall | Ferry | Frank | Goodfellow |
| Hardy | Harper | Holdaway | E. Hutchings |

| | | | |
|------------|----------|---------|-------------|
| B. Johnson | Jones | King | Kiser |
| Lawrence | Lockhart | Mascaro | Morgan |
| Newbold | Noel | Pace | Peterson |
| Philpot | Seitz | G. Snow | Thompson |
| Ure | Urquhart | Webb | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|-------------|---------|-----------|-----------|
| Anderson | Becker | Bennion | Biskupski |
| Daniels | Dayton | Donnelson | Duckworth |
| Dunnigan | Ferrin | Gowans | Hansen |
| Hendrickson | Hogue | Hughes | Last |
| Litvack | Love | McCartney | McGee |
| Morley | Moss | Murray | Shurtliff |
| Styler | Wallace | | |

Absent or not voting was: Representative Buffmire

Sub. H.B. 3, as amended by the Senate, transmitted to the Senate for signature of the President.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to lift **4th Sub. S.B. 90** to the top of the calendar for third reading.

THIRD READING CALENDAR

4th Sub. S.B. 90, MEDICAL NEGLIGENCE – EXCLUSION, read the third time by short title and placed on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Lines 12 through 13

12 ▶ establishes that severe child abuse or neglect does not include the medical decision

13 of a competent parent[[~~who has no prior history of abuse or neglect~~]]; and

2. Page 4, Lines 96 through 98:

96 (d) The medical decision of a competent parent or guardian does not constitute medical

97 neglect. A competent parent is defined herein as a parent who ~~[[is a reasonable, prudent, and fit~~

98 ~~care giver toward their child]]~~ has made a reasonable and prudent health decision for his child .

3. Page 7, Lines 210 through 211:

210 (c) the medical decision of a competent parent. A competent parent is defined herein

211 as a parent who ~~[[is a reasonable, prudent, and fit care giver toward their child]]~~ has made a reasonable and prudent health decision for his child .

4. Page 13, Lines 379 through 381:

379 (iv) The medical decision of a competent parent or guardian does not constitute

380 medical neglect. A competent parent is defined herein as a parent who ~~[[is a reasonable, prudent,~~

381 ~~and fit care giver toward their child]]~~ has made a reasonable and prudent health decision for his child .

5. Page 17, Lines 510 through 512:

510 (iv) The medical decision of a competent parent or guardian does not constitute

511 medical neglect. A competent parent is defined herein as a parent who ~~[[is a reasonable, prudent,~~

512 ~~and fit care giver toward their child]]~~ has made a reasonable and prudent health decision for his child .

6. Page 20, Lines 600 through 603:

600 (5) All parents are presumed to be competent. This presumption may be rebutted if the

601 state can show that a parent or parents are incompetent beyond a reasonable doubt. A

602 competent parent is defined herein as a parent who ~~[[is a reasonable, prudent, and fit care giver~~

603 ~~toward their child~~] has made a reasonable and prudent health decision for his child.

Having reached midnight the motion to amend died along with the bill.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

The Senate concurred in the House amendments and passed **S.J.R. 10**, MASTER STUDY RESOLUTION, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 192**, LOAN TRANSACTIONS AMENDMENTS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 239**, UNFAIR BUSINESS PRACTICES, by Senator M. Dmitrich, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **2nd Sub. S.B. 66**, TELECOMMUNICATIONS AMENDMENTS, by Senator J. Hickman, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 3, 2004, and passed **1st Sub. S.B. 250**, CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION, by Senator J. Valentine, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.J.R. 10**, **S.B. 192**, **3rd Sub. S.B. 239**, **2nd Sub. S.B. 66**, and **Sub. S.B. 250** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate passed, **1st Sub. H.B. 259**, SPECIAL NEEDS ADOPTION – PREPLACEMENT EVALUATIONS, by Representative A. Hardy, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 270**, RESIDENCE REQUIREMENTS FOR DRIVER LICENSE, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 153**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative C. Bird, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 330**, ALLOCATION OF TOBACCO FUND AMENDMENTS, by Representative D. Peterson, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.C.R. 6**, RESOLUTION OPPOSING INTERNET ACCESS TAXES, by Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 5**, RESOLUTION URGING FEDERAL TAX CUTS TO BE MADE PERMANENT, by Representative C. Bennion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 10**, RESOLUTION RECOGNIZING NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL MEETING IN SALT LAKE CITY, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **4th Sub. H.B. 268**, CHILD WELFARE PROCESSES, by Representative M. Thompson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 357**, CONTINUING EDUCATION FOR REAL ESTATE PROFESSIONALS, by Representative J. S. Adams, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 108**, INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES, by Representative M. Newbold, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 160**, MORTGAGE ACT AMENDMENTS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 25**, JOINT RESOLUTION ON MARRIAGE, by Representative L. Christensen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 54**, VIDEOTAPE OF MINORS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 3**, SUPPLEMENTAL APPROPRIATIONS ACT II, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 259, H.B. 270, H.B. 153, Sub. H.B. 330, Sub. H.C.R. 6, H.C.R. 5, H.C.R. 10, 4th Sub. H.B. 268, H.B. 357, H.B. 108, 2nd Sub. H.B. 160, H.J.R. 25, 2nd Sub. H.B. 54, and Sub. H.B. 3** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: March 3, 2004

The Senate substituted and failed, **Senate 4th Sub. H.B. 266**, REVISIONS TO CHILD WELFARE, by Representative W. Harper, and it is transmitted for filing.

Annette B. Moore
Secretary of the Senate

Communication filed. **4th Sub. H.B. 266** was filed.

* * *

Mr. Speaker: March 3, 2004

The Senate refuses to recede from its amendments to **2nd Sub. H.B. 311**, REDEVELOPMENT AGENCY AMENDMENTS, by Representative J. S. Adams.

Annette B. Moore
Secretary of the Senate

Communication filed. This bill was received too late to be acted upon.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 3, 2004

The Joint Conference Committee comprised of Senators Bramble, Bell, and Mayne, and Representatives Alexander, Snow, and Goodfellow, recommends **2nd Sub. S.B. 165**, WORKERS' COMPENSATION AMENDMENTS, by

Senator C. Bramble, be replaced and favorably recommends **3rd Sub. S.B. 165**,
WORKERS' COMPENSATION AMENDMENTS.

Senator Bramble,
 Senate Chair
 Representative Alexander,
 House Chair

Report filed. This bill was received too late to be acted upon.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2004

I am directed to inform the House of Representatives that the Senate on this day struck the enacting clause on the following House Bills and Resolutions:

- | | |
|--------------------------|--|
| H.B. 7 | Marriage Preparation Education (Rosalind J. McGee) |
| H.B. 38 | Sales and Use Tax – Repeal of Cable and Satellite Service (Rep. Greg J. Curtis) |
| 1st Sub. H.B. 42 | Interest Rates on Judgments (Rep. James A. Dunnigan) |
| 1st Sub. H.B. 43 | No Child Left Behind Options (Rep. Margaret Dayton) |
| H.B. 53 | Additional State Retirement Benefit (Rep. LaWanna Lou Shurtliff) |
| H.B. 59 | Lien for Homeowner Association Charges (Rep. Steven R. Mascaro) |
| H.B. 67 | Cultural Affairs Task Force (Rep. Sheryl L. Allen) |
| H.B. 91 | Utah Administrative Rulemaking Act Amendments (Rep. Wayne A. Harper) |
| H.B. 113 | Nonresident Tuition Waiver for Job Corps Students (Rep. LaWanna Lou Shurtliff) |
| H.B. 117 | Individual Income Tax – Treatment of Certain Military Income (Rep. Darin G. Peterson) |
| H.B. 118 | Brand Inspection Amendments (Rep. David Ure) |
| H.B. 129 | Child Protection Team Meetings (Rep. Chad E. Bennion) |
| 1st Sub. H.B. 137 | Campaign Finance Disclosure in Municipal Elections (Rep. John Dougall) |
| H.B. 139 | Evidence Amendments (Rep. Joseph G. Murray) |
| H.B. 150 | Workers' Compensation – Fire Department Employees (Rep. Joseph G. Murray) |
| H.B. 170 | Office of the Attorney General Responsibilities (Rep. Katherine M. Bryson) |
| H.B. 175 | Process for Filling Midterm Vacancies in the Legislature (Rep. Wayne A. Harper) |
| 1st Sub. H.B. 181 | Fluorine Cost Requirements (Rep. Michael T. Morley) |

- H.B. 212** Traffic Accident Response (Rep. Eric K. Hutchings)
H.B. 223 State School Board Candidate Selection Committees
(Rep. Karen W. Morgan)
H.B. 227 Midwife Certification Act (Rep. Jackie Biskupski)
1st Sub. H.B. 228 Sale, Exchange, or Donation of Real Property by State
Agencies (Rep. David Ure)
1st Sub. H.B. 236 Families, Agencies, and Communities Together
Amendments (Rep. David Litvack)
H.B. 244 Amendments to Asset Testing for Medicaid
(Rep. David L. Hogue)
H.B. 251 Radio Frequency Identification – Right to Know Act
(Rep. David L. Hogue)
1st Sub. H.B. 254 Solid Waste Landfill Amendments
(Rep. D. Gregg Buxton)
1st Sub. H.B. 261 Gift Certificates – Eliminating Expiration Date
(Rep. Ty McCartney)
H.B. 274 Municipal Weed Abatement (Rep. Michael T. Morley)
H.B. 290 State Employee Compensation Study Task Force
(Rep. Merlynn T. Newbold)
H.B. 298 Residence Lien Recovery Fund Amendments
(Rep. Stephen D. Clark)
H.B. 306 Property Tax Relief (Rep. LaVar Christensen)
H.B. 310 Child Support Amendments (Rep. Katherine M. Bryson)
1st Sub. H.B. 314 Consumer Protection Revisions (Rep. John Dougall)
H.B. 322 Golf Carts Allowed on Certain Highways
(Rep. Carol Spackman Moss)
H.B. 324 Safe Drinking Water Act Amendment
(Rep. Bradley G. Last)
H.B. 327 Impounded Vehicles Amendments
(Rep. Eric K. Hutchings)
H.B. 345 Earned Income Tax Credit (Rep. Jackie Biskupski)
1st Sub. H.B. 348 Privacy Amendments (Rep. Mike Thompson)
H.C.R. 8 Resolution Promoting Reading Readiness by Encouraging
Utah Citizens to Read with a Child 20 Minutes a Day
(Rep. Karen W. Morgan)
H.J.R. 3 Resolution Urging Congress to Consider Withdrawing the
United States from the United Nations
(Rep. Don E. Bush)
H.J.R. 4 Joint Rules Resolution – Appropriation Process Revisions
(Rep. Wayne A. Harper)

- H.J.R. 8** Resolution Authorizing the Legislature to Call Itself into Session (Rep. Chad E. Bennion)
- H.J.R. 10** Joint Resolution Reaffirming the State of Utah's Commitment to the Constitution and the Bill of Rights (Rep. Sheryl L. Allen)
- H.J.R. 11** Resolution Urging a Study on Statewide Uniform Fees Imposed on Motor Homes (Rep. LaWanna Lou Shurtliff)
- H.J.R. 23** Resolution Urging Study of Incentives for Film Industry Production in Utah (Rep. Sheryl L. Allen)
- Annette B. Moore
Secretary of the Senate

Communication filed.

RULES COMMITTEE REPORTS

Mr. Speaker: March 3, 2004

I am directed to inform the Utah House of Representatives that the House Committee on Rules has struck the enacting clause on the following House Bills and Resolutions:

- H.B. 12** Requirements for Recording Certain Real Estate Documents (D. Clark)
- Sub. H.B. 26** Parent-Time Schedule Amendments (S. Daniels)
- H.B. 33** Authorization to Close a Meeting (G. Curtis)
- H.B. 39** Special Functions Officers for the Division of Occupational and Professional Licensing (J. Philpot)
- H.B. 44** Use of Public Education Monies (P. Jones)
- H.B. 45** Individual Income Tax Amendments for Education Funding (P. Jones)
- H.B. 46** Appropriation for School Districts Impacted by Fee Waivers (L. Shurtliff)
- Sub. H.B. 50** Automobile Crime Prevention (D. Bowman)
- Sub. H.B. 63** Identification of Stolen Firearms (J. Buffmire)
- Sub. H.B. 68** Criminal Penalty Amendment (D. Litvack)
- Sub. H.B. 69** Pharmaceutical Cost Reduction Amendments (R. McGee)
- H.B. 76** Mobile Home Park Residency Act Amendments (C. Duckworth)
- H.B. 77** Felony Assault Amendments (C. Frank)
- H.B. 84** State School Board Candidates (D. Cox)
- H.B. 87** Divorce and Custody Proceedings (J. Biskupski)
- Sub. H.B. 89** Special Group License Plate Amendments (M. Morley)
- H.B. 98** Eligibility for Interscholastic Athletics (A. Hardy)

- H.B. 99** Common Interest Ownership Act (D. Hogue)
H.B. 101 Mental Health Services Coordinator (D. Hogue)
H.B. 102 Residential Mortgage Practices Amendments (E. Hutchings)
H.B. 103 Special District for Police Services (T. McCartney)
H.B. 104 Filing and Perfecting of Water Rights (B. Johnson)
H.B. 107 Appropriation to Meet Highly Qualified Teacher Standards (K. Holdaway)
Sub. H.B. 109 Legal Presence Provisions (M. Thompson)
H.B. 110 Educator Licensing Amendments (D. Cox)
H.B. 112 Enrollment Growth Program Amendments (B. Last)
H.B. 127 Certified Medication Aide (R. Lockhart)
H.B. 130 Kindergarten Assessment Requirements (K. Morgan)
H.B. 132 Driver License Amendments (D. Ure)
H.B. 134 Provision for Paramedics in Cities of Counties of the Second Class (A. Hardy)
H.B. 141 Abortion Law Amendments (J. Philpot)
H.B. 143 Special License Plates (C. Duckworth)
H.B. 144 Special License Plate – Springville High Booster Club (C. Bird)
Sub. H.B. 151 Protective Custody of Abused, Neglected, or Dependent Children (E. Hutchings)
H.B. 154 State and Local Government Planning (C. Buttars)
H.B. 155 State Fair Amendments (C. Buttars)
H.B. 156 Changes to State Government (K. Bryson)
H.B. 159 Economic Development (C. Bennion)
H.B. 163 Residential Mortgage Practices – Employment Security Revisions (S. Urquhart)
H.B. 166 Concealed Firearm Permit Amendments (D. Hogue)
H.B. 167 Public Service Commission – Regulation of Cable Companies (D. Hogue)
H.B. 173 Liability Insurance for Contractors – Monitoring System (M. Morley)
H.B. 176 Child Restraint Safety Devices (C. Moss)
H.B. 177 Interference With School Activities (B. Last)
H.B. 185 Law Enforcement – Reporting Hazardous Materials Relating to Controlled Substances (E. Hutchings)
H.B. 190 Restricting Wireless Telephone Use for School Bus Drivers (N. Hendrickson)
H.B. 194 Commission on Criminal and Juvenile Justice Membership (R. McGee)

| | |
|--------------------------|--|
| H.B. 196 | Safety Inspection and Emission Amendments (W. Harper) |
| H.B. 208 | Regulation of Motorized Scooters (B. Dee) |
| Sub. H.B. 216 | Internet Privacy Act (W. Harper) |
| H.B. 221 | Use of Credit Information for Insurance (P. Wallace) |
| H.B. 224 | Repeal of Public Education Amendments (J. Buffmire) |
| 2nd Sub. H.B. 230 | Property Tax Levy for Education (M. Styler) |
| H.B. 243 | Water Rights Task Force(M. Styler) |
| H.B. 246 | Prohibition of Cross Burning on Property (N. Hansen) |
| Sub. H.B. 257 | Electro Shock Therapy Amendments (K. Bryson) |
| H.B. 258 | Prohibiting Cell Phone Use for New Drivers (C. Moss) |
| H.B. 264 | Improving Mental Health Services to the Deaf and Hard-Of-Hearing Task Force (D. Hogue) |
| 4th Sub. H.B. 266 | Revisions to Child Welfare (W. Harper) |
| H.B. 267 | Utah Pharmaceutical Insurance Program (D. Hogue) |
| H.B. 269 | Changing Statutory Presumption (C. Bennion) |
| Sub. H.B. 271 | Tuition Tax Credits (J. Ferrin) |
| H.B. 272 | Health Insurance Act – Rate Limitations (J. Dunnigan) |
| H.B. 277 | Insurance Amendments – Licensing for Sales of Annuities (M. Newbold) |
| H.B. 278 | Oversight of Mortgage Regulation (J. Philpot) |
| H.B. 280 | Respect Choice – Special Group License Plates (R. McGee) |
| Sub. H.B. 281 | Toxic Mold Disclosure (D. Hogue) |
| H.B. 282 | Utility Regulation (K. Bryson) |
| H.B. 284 | Special Group License Plate for Children at Risk (L. Christensen) |
| H.B. 285 | Limits on Challenges to Moderate Income Housing Plans (J. Dougall) |
| H.B. 286 | State Railroad Museum License Plates (J. Murray) |
| H.B. 287 | Government Records Access and Management Act Revisions (D. Aagard) |
| H.B. 288 | Process for Submitting Opinion Question to Ballot (R. Becker) |
| H.B. 291 | Safe Drinking Water Act Amendments (G. Donnelson) |
| H.B. 296 | Workers’ Compensation Fund Task Force (D. Ure) |
| H.B. 297 | Use of Local Education Property Tax Revenues (J. Ferrin) |
| Sub. H.B. 299 | Teacher Accrual of Continuing Education Requirements (E. Hutchings) |
| H.B. 300 | Victim Reparations Amendments (E. Hutchings) |
| H.B. 304 | Procurement Code Amendments – Recycling (B. Ferry) |
| H.B. 305 | State Government Revisions (D. Ure) |

- H.B. 307** Oversight of High School Activities Association
(D. Bourdeaux)
- H.B. 309** Process for Nonbinding Opinion Question to be Referred
to Voters (S. Mascaro)
- 1st Sub. H.B. 311** Redevelopment Agency Amendments (J. Adams)
- H.B. 313** Redevelopment Agency Revisions (J. Gowans)
- H.B. 315** Local Option Sales and Use Tax Amendments
(J. Dougall)
- H.B. 316** Recall Election Process (D. Hogue)
- H.B. 317** Study on Immigration Issues and Considerations
(D. Litvack)
- H.B. 318** Uniform Statewide Fees for Certain Tangible Personal
Property (C. Bennion)
- H.B. 319** Utah College of Applied Technology Lease Approval
Requirements (L. Pace)
- Sub. H.B. 321** Motor Vehicle Registration Revisions (C. Bennion)
- H.B. 326** Driving Under the Influence Penalties (D. Love)
- H.B. 329** Income Tax Credit for Donations to School District
Foundations (D. Bush)
- H.B. 331** Choice in Health Care (M. Bryson)
- H.B. 333** Signage on Highways (C. Buttars)
- H.B. 334** System of Care Pilot Program (M. Noel)
- H.B. 337** Public Service Commission – Consideration of Wireless
Providers (S. Urquhart)
- H.B. 338** Bottle Bill Amendments (T. McCartney)
- H.B. 339** Motor Vehicle Title Requirements (T. Kiser)
- H.B. 340** Clarification of Use of Acupuncture (D. Ure)
- H.B. 342** Gun Show Background Check (S. Daniels)
- H.B. 344** General Government Changes (B. King)
- H.B. 346** Individual Income Tax Contributions Amendments
(S. Mascaro)
- H.B. 350** Consumer Access to Prescription Drug Pricing Date
(D. Ure)
- Sub. H.B. 351** Task Force Studying Private Sector Approaches to
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- H.B. 352** Inheritance Tax Act Amendments (B. Goodfellow)
- H.B. 353** Public Transportation District Board Amendments
(G. Curtis)
- H.B. 354** Salvage Vehicle Amendments (G. Curtis)
- H.B. 355** Child Support Collections (J. Philpot)
- H.B. 356** Halt Utah’s Participation in Matrix (J. Philpot)

- H.B. 359** Use of Mineral Lease Monies by Utah State Fair (C. Buttars)
- H.B. 360** Property Tax Exemption (J. Ferrin)
- H.B. 361** Adoption Agency Fees Task Force (S. Daniels)
- H.B. 362** Local Human Services Act (J. Seitz)
- H.B. 363** Government Efficiency and Effectiveness Review Committee (P. Wallace)
- H.B. 366** Repeal of Exemption from Nonresident Tuition (G. Donnelson)
- H.B. 367** Participation Allowed in State Employee Insurance System (D. Clark)
- H.B. 368** Task Force on Legislative Reform (J. Philpot)
- H.B. 369** Utah Retirement Fund Investments (P. Wallace)
- H.C.R. 9** No Child Left Behind Resolution (K. Holdaway)
- H.C.R. 16** Resolution Urging Retirement System Support of Economic Development (P. Wallace)
- H.J.R. 1** Resolution Amending Dates of Annual Legislative Session (S. Mascaro)
- 5th Sub. H.J.R. 5** Joint Rules Resolution – Appropriations Subcommittee Meetings (K. Morgan)
- H.J.R. 14** Resolution Providing for Recall of Elected Officials (D. Hogue)
- H.J.R. 15** Joint Resolution – Submitting Bonding for Open Space to Voters (R. Becker)
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- H.J.R. 26** Resolution Providing Property Tax Exemption (J. Ferrin)
- H.R. 2** House Rules Resolution – Standing Committee Process Amendments (R. Becker)
- H.R. 3** House Rules Resolution – Limit on Gifts (R. Becker)
- H.R. 8** House Resolution Regarding No Child Left Behind (K. Holdaway)

H.R. 10 House Resolution Requiring Political Caucuses to Be Open (S. Daniels)

Marda Dillree, Chair

Report filed. On motion of Representative Dillree, the report of the Rules Committee was adopted.

* * *

Mr. Speaker: March 4, 2004

I am directed to inform the Utah House of Representatives that the House Committee on Rules has struck the enacting clause on the following Senate Bills and Resolutions:

| | |
|--------------------------|---|
| S.B. 17 | Reauthorization of Energy Policy Task Force (L. Blackham) |
| S.B. 21 | Drug Offenders Reform Act (D. C. Buttars) |
| S.B. 39 | State and School Recognition of Cesar Chavez (J. Evans) |
| 2nd Sub. S.B. 45 | Uniform Parentage Act (L. Hillyard) |
| S.B. 71 | Safety Belt Enforcement (K Hale) |
| 4th Sub. S.B. 90 | Medical Neglect – Exclusion (D. Thomas) |
| S.B. 103 | Child Removal Amendments (P. Hellewell) |
| S.B. 116 | County Recorder Amendments (T. Hatch) |
| 2nd Sub. S.B. 140 | Human Services Licensing Amendments (D. C. Buttars) |
| S.B. 156 | Substitute Teachers Volunteer Program (J. Evans) |
| 2nd Sub. S.B. 165 | Workers' Compensation Amendments (C. Bramble) |
| S. B. 169 | Sales and Use Tax Agricultural Exemptions (R. Allen) |
| S.B. 172 | Education Articulation Legislative Task Force (S. Jenkins) |
| S.B. 174 | Adoption of Uniform Juvenile Compact (D. Gladwell) |
| Sub. S.B. 207 | Office of Museum Services Amendments (R. Allen) |
| Sub. S.B. 208 | Funding for Tourism (P. Knudson) |
| S.B. 213 | Motor Vehicles – Clean Air Discounts (G. Davis) |
| S.B. 218 | Law Enforcement Overtime Fund (J. Evans) |
| S.B. 229 | Task Force Study of Wildfires in Utah (B. Evans) |
| S.B. 235 | Retirement for Airport Police (R. Allen) |
| S.B. 238 | Individual Income Tax – Earned Income Tax Credit (T. Hatch) |
| S.B. 241 | Future Farmers of America Special License Plate (B. Evans) |
| S.B. 251 | Funding the Purchase of Voting Equipment (D. Eastman) |
| S.C.R. 6 | Utah Athletic Foundation Resolution (B. Evans) |

S.J.R. 9 Resolution on Ethnic Advisory Councils (J. Evans)
Marda Dillree, Chair

The above Senate Bills were returned to the Senate for filing.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House authorized the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor and inform Her Excellency that the Legislature had completed its business and was prepared to adjourn sine die. The Speaker appointed Representatives Dillree, Philpot, and Moss.

On motion of Representative Curtis, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House was prepared to adjourn sine die. The Speaker appointed Representatives Mascaro, Frank, and Litvack.

Senators Hellewell, Arent, and Eastman formally notified the House of Representatives that the Senate had completed its business and was prepared to adjourn sine die.

Representative Dillree reported that her Joint Committee had waited upon the Governor and informed her that the Legislature had completed its business and was prepared to adjourn sine die.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Governor Olene S. Walker.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

MISCELLANEOUS BUSINESS

Representative Mascaro notified the House that his committee had waited upon the Senate and informed that Honorable Body that the House was ready to adjourn sine die.

On motion of Representative Newbold, the House authorized two days compensation for session staff.

On motion of Representative Curtis, and at 12:30 a.m., the House of Representatives of the Fifty-fifth Legislature of the state of Utah adjourned sine die.

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| | |
|--------------------------------|-----|
| Read the second time | 117 |
| Read the third time | 153 |
| Circled | 153 |
| Uncircled | 184 |
| Amendments | 184 |
| Substituted | 185 |

4th Sub. H.B. 47 — ELEMENTARY SCHOOL VENDING MACHINE SALES *(P. Jones)*

| | |
|------------------------------------|-----|
| Circled | 187 |
| Uncircled | 392 |
| Enacting Clause Stricken | 392 |

H.B. 48 — COLLECTION OF INFORMATION BY DEPARTMENT OF HEALTH *(D. Hogue)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 80 |
| Read the second time | 93 |
| Read the third time | 125 |
| Transmitted to the Senate | 126 |
| Signed by the Speaker and transmitted to the Governor | 456 |

| | |
|--|------|
| H.B. 49 — NATURAL GAS TECHNICIAN CERTIFICATION (<i>G. Snow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 81 |
| Read the second time | 91 |
| Read the third time | 124 |
| Transmitted to the Senate | 125 |
| Placed on Concurrence Calendar | 337 |
| Concurrence | 359 |
| Signed by the Speaker and returned to the Senate | 386 |
| | |
| H.B. 50 — AUTOMOBILE CRIME PREVENTION (<i>D. Bowman</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 81 |
| Substituted | 242 |
| | |
| 1st Sub. H.B. 50 — AUTOMOBILE CRIME PREVENTION (<i>D. Bowman</i>) | |
| Amendments | 242 |
| Read the second time | 243 |
| Read the third time | 401 |
| Amendments | 401 |
| Failed | 403 |
| Enacting Clause Stricken | 1175 |
| | |
| H.B. 51 — NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS (<i>D. Bowman</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 81 |
| Read the second time | 119 |
| Read the third time | 167 |
| Circled | 167 |
| Uncircled | 323 |
| Substituted | 323 |
| | |
| 2nd Sub. H.B. 51 — NONRESIDENT USER FEE FOR OFF-HIGHWAY VEHICLE USERS | |
| (<i>D. Bowman</i>) | |
| Amendments | 323 |
| Transmitted to the Senate | 324 |
| Signed by the Speaker and transmitted to the Governor | 824 |
| | |
| H.B. 52 — INDIVIDUAL DEFERRED ANNUITIES – NONFORFEITURE AMENDMENTS | |
| (<i>J. Dunnigan</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 79 |
| Read the second time | 94 |
| Read the third time | 134 |
| Transmitted to the Senate | 135 |
| Signed by the Speaker and transmitted to the Governor | 336 |

| | |
|--|----------|
| H.B. 53 — ADDITIONAL STATE RETIREMENT BENEFIT (<i>L. Shurtliff</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 71 |
| Assigned to standing committee | 136 |
| Read the second time | 248 |
| Read the third time | 440 |
| Circled | 440 |
| Uncircled | 529 |
| Transmitted to the Senate | 529 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 54 — VIDEOTAPE OF MINORS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 80 |
| Substituted | 160 |
| | |
| 1st Sub. H.B. 54 — VIDEOTAPE OF MINORS (<i>W. Harper</i>) | |
| Read the second time | 162 |
| Read the third time | 205 |
| Circled | 206, 296 |
| Uncircled | 294, 378 |
| Amendments | 295, 378 |
| Transmitted to the Senate | 381 |
| | |
| 2nd Sub. H.B. 54 — VIDEOTAPE OF MINORS (<i>W. Harper</i>) | |
| Placed on Concurrence Calendar | 1163 |
| Concurrence | 1164 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 55 — SCHOOL AND INSTITUTIONAL TRUST LAND AMENDMENTS (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 81 |
| Amendments | 98 |
| Read the second time | 99 |
| Read the third time | 166 |
| Transmitted to the Senate | 167 |
| Signed by the Speaker and transmitted to the Governor | 353 |
| | |
| H.B. 56 — LOCAL GOVERNMENT LIEN FOR SERVICE CHARGES (<i>S. Mascaro</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 81 |
| Substituted | 500 |

1st Sub. H.B. 56 — LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES*(S. Mascaro)*

| | |
|----------------------|-----|
| Amendments | 500 |
| Read the second time | 501 |
| Read the third time | 670 |
| Circled | 671 |
| Uncircled | 689 |
| Substituted | 689 |

2nd Sub. H.B. 56 — LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES*(S. Mascaro)*

| | |
|-----------------------------------|-----|
| Amendments | 689 |
| Held for possible reconsideration | 690 |
| Reconsideration | 720 |
| Circled | 720 |
| Uncircled | 856 |
| Substituted | 856 |

3rd Sub. H.B. 56 — LOCAL GOVERNMENT COLLECTION FOR SERVICE CHARGES*(S. Mascaro)*

| | |
|---|------|
| Amendments | 856 |
| Transmitted to the Senate | 857 |
| Placed on Concurrence Calendar | 1092 |
| Concurrence | 1113 |
| Signed by the Speaker and transmitted to the Governor | 1154 |

H.B. 57 — AMENDMENTS TO BUDGETARY PROCEDURES ACT (*J. Seitz*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 80 |
| Read the second time | 98 |
| Read the third time | 147 |
| Transmitted to the Senate | 148 |
| Signed by the Speaker and transmitted to the Governor | 456 |

H.B. 58 — TRUST LANDS ADMINISTRATION (*D. Bowman*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 81 |
| Read the second time | 119 |
| Read the third time | 169 |
| Transmitted to the Senate | 169 |
| Signed by the Speaker and transmitted to the Governor | 353 |

| | |
|---|------|
| H.B. 59 — LIEN FOR HOMEOWNER ASSOCIATION CHARGES (<i>S. Mascaro</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 79 |
| Amendments | 229 |
| Read the second time | 230 |
| Read the third time | 394 |
| Amendments | 395 |
| Transmitted to the Senate | 396 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 60 — PROTECTION OF CHILDREN IN FOSTER CARE (<i>D. Litvack</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 135 |
| Amendments | 191 |
| Read the second time | 192 |
| Read the third time | 285 |
| Transmitted to the Senate | 286 |
| Failed | 629 |
| Returned to the Senate | 668 |
| Placed on Concurrence Calendar | 823 |
| Concurrence | 876 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 61 — CHILD WELFARE INVESTIGATIONS (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 423 |
| Substituted | 474 |
| | |
| 1st Sub. H.B. 61 — CHILD WELFARE INVESTIGATIONS (<i>M. Thompson</i>) | |
| Read the second time | 474 |
| Read the third time | 640 |
| Transmitted to the Senate | 640 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 62 — LIEN RECOVERY FUND AMENDMENTS (<i>R. C. Webb</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 79 |
| Amendments | 114 |
| Read the second time | 115 |
| Read the third time | 151 |
| Amendments | 151 |
| Transmitted to the Senate | 153 |
| Signed by the Speaker and transmitted to the Governor | 336 |
| | |
| H.B. 63 — IDENTIFICATION OF STOLEN FIREARMS (<i>J. Buffmire</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 81 |
| Substituted | 833 |

| | |
|---|------|
| 1st Sub. H.B. 63 — IDENTIFICATION OF STOLEN FIREARMS (<i>J. Buffmire</i>) | |
| Returned to Rules Committee | 833 |
| Enacting Clause Stricken | 1175 |
| H.B. 64 — AMENDMENTS TO LOCAL OPTION SALES TAX FOR MUNICIPALITIES (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 81 |
| Read the second time | 166 |
| Read the third time | 239 |
| Circled | 239 |
| Uncircled | 287 |
| Substituted | 287 |
| 1st Sub. H.B. 64 — AMENDMENTS TO LOCAL OPTION SALES TAX (<i>S. Allen</i>) | |
| Circled | 287 |
| Uncircled | 291 |
| Amendments | 287 |
| Transmitted to the Senate | 292 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| H.B. 65 — TUITION WAIVER FOR PURPLE HEART RECIPIENTS (<i>G. Hughes</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 80 |
| Amendments | 116 |
| Read the second time | 116 |
| Read the third time | 153 |
| Circled | 153 |
| Uncircled | 194 |
| Transmitted to the Senate | 195 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| H.B. 66 — STATE SPENDING LIMITATIONS AMENDMENTS (<i>G. Hughes</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Substituted | 179 |
| 1st Sub. H.B. 66 — STATE SPENDING LIMITATIONS AMENDMENTS (<i>G. Hughes</i>) | |
| Assigned to standing committee | 179 |
| Amendments | 243 |
| Read the second time | 245 |
| Read the third time | 404 |
| Transmitted to the Senate | 404 |
| 3rd Sub. H.B. 66 — STATE SPENDING AND DEBT LIMITATIONS AMENDMENTS (<i>G. Hughes</i>) | |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1042 |
| Signed by the Speaker and transmitted to the Governor | 1063 |

| | |
|--|------|
| H.B. 67 — CULTURAL AFFAIRS TASK FORCE (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 80 |
| Read the second time | 139 |
| Read the third time | 174 |
| Transmitted to the Senate | 175 |
| Enacting Clause Stricken | 1173 |
| H.B. 68 — CRIMINAL PENALTY AMENDMENT (<i>D. Litvack</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 72 |
| Assigned to standing committee | 385 |
| Substituted | 829 |
| 1st Sub. H.B. 68 — CRIMINAL PENALTY AMENDMENT (<i>D. Litvack</i>) | |
| Amendments | 829 |
| Returned to Rules Committee | 830 |
| Enacting Clause Stricken | 1175 |
| H.B. 69 — PHARMACEUTICAL COST REDUCTION AMENDMENTS (<i>R. McGee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Substituted | 492 |
| 1st Sub. H.B. 69 — PHARMACEUTICAL COST REDUCTION AMENDMENTS (<i>R. McGee</i>) | |
| Assigned to standing committee | 492 |
| Returned to Rules Committee | 825 |
| Enacting Clause Stricken | 1175 |
| H.B. 70 — GERIATRIC CARE MANAGERS (<i>R. Lockhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 199 |
| Substituted | 608 |
| 1st Sub. H.B. 70 — GERIATRIC CARE MANAGERS (<i>R. Lockhart</i>) | |
| Read the second time | 608 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 705 |
| Read the third time | 711 |
| Transmitted to the Senate | 712 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| H.B. 71 — WATER CONSERVATION PLANS (<i>J. Buffmire</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 136 |
| Substituted | 280 |

| | |
|---|------|
| 1st Sub. H.B. 71 — WATER CONSERVATION PLANS (<i>J. Buffmire</i>) | |
| Amendments | 280 |
| Read the second time | 281 |
| Read the third time | 450 |
| Transmitted to the Senate | 451 |
| Signed by the Speaker and transmitted to the Governor | 824 |
| | |
| H.B. 72 — RELEASE OF CLAIMS ON BEHALF OF A MINOR (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 95 |
| Read the second time | 165 |
| Read the third time | 237 |
| Amendments | 237 |
| Transmitted to the Senate | 238 |
| Signed by the Speaker and returned to the Senate | 386 |
| | |
| H.B. 73 — PATTERN OF UNLAWFUL ACTIVITY ACT AMENDMENTS (<i>T. McCartney</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 95 |
| Read the second time | 120 |
| Read the third time | 170 |
| Transmitted to the Senate | 171 |
| Signed by the Speaker and transmitted to the Governor | 353 |
| | |
| H.B. 74 — EXTENSION OF SALES AND USE TAX EXEMPTION FOR STEEL INDUSTRY <i>(B. Ferry)</i> | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 188 |
| Read the second time | 247 |
| Read the third time | 437 |
| Transmitted to the Senate | 438 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 75 — INDUSTRIAL ASSISTANCE FUND AMENDMENTS (<i>D. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 95 |
| Amendments | 139 |
| Read the second time | 140 |
| Read the third time | 175 |
| Transmitted to the Senate | 175 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| | |
| H.B. 76 — MOBILE HOME PARK RESIDENCY ACT AMENDMENTS (<i>C. Duckworth</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 207 |
| Returned to Rules Committee | 828 |
| Enacting Clause Stricken | 1175 |

| | |
|--|-----------|
| H.B. 77 — FELONY ASSAULT AMENDMENTS (<i>C. Frank</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Enacting Clause Stricken | 1175 |
| H.B. 78 — SCHOOL LAND TRUST PROGRAM RESTRICTED ACCOUNT (<i>D. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 188 |
| Read the second time | 242 |
| Read the third time | 400 |
| Transmitted to the Senate | 401 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| H.B. 79 — RIGHT TO DISPLAY FLAG AT PERSONAL RESIDENCE (<i>C. Duckworth</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 94 |
| Read the second time | 192 |
| Read the third time | 291 |
| Amendments | 291 |
| Transmitted to the Senate | 291, 941 |
| Recalled | 915 |
| Reconsideration | 940 |
| Amendments | 940 |
| Signed by the Speaker and transmitted to the Governor | 824, 1015 |
| H.B. 80 — WILDLIFE LICENSE AGENTS – PENALTIES FOR VIOLATIONS (<i>B. Last</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 95 |
| Read the second time | 119 |
| Read the third time | 170 |
| Transmitted to the Senate | 170 |
| Placed on Concurrence Calendar | 607 |
| Concurrence | 637 |
| Signed by the Speaker and transmitted to the Governor | 669 |
| H.B. 81 — CRIMINAL LAW INTENT AMENDMENT (<i>T. McCartney</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 136 |
| Read the second time | 164 |
| Read the third time | 234 |
| Circled | 234 |
| Uncircled | 236 |
| Transmitted to the Senate | 237 |
| Signed by the Speaker and transmitted to the Governor | 722 |

| | |
|---|------|
| H.B. 82 — VIRTUAL VISITATION AMENDMENTS (<i>D. Aagard</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 135 |
| Amendments | 165 |
| Read the second time | 165 |
| Read the third time | 238 |
| Circled | 238 |
| Uncircled | 393 |
| Substituted | 393 |
| | |
| 1st Sub. H.B. 82 — VIRTUAL VISITATION AMENDMENTS (<i>D. Aagard</i>) | |
| Transmitted to the Senate | 394 |
| Signed by the Speaker and transmitted to the Governor | 653 |
| | |
| H.B. 83 — STATE RETIREMENT – FUNDED RATIO (<i>A. Hardy</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 73 |
| Assigned to standing committee | 95 |
| Read the second time | 248 |
| Read the third time | 439 |
| Transmitted to the Senate | 440 |
| Signed by the Speaker and transmitted to the Governor | 824 |
| | |
| H.B. 84 — STATE SCHOOL BOARD CANDIDATES (<i>D. Cox</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 187 |
| Amendments | 317 |
| Read the second time | 318 |
| Read the third time | 485 |
| Amendments | 485 |
| Failed | 486 |
| Enacting Clause Stricken | 1175 |
| | |
| H.B. 85 — HEALTH INSURANCE MANDATE AMENDMENTS (<i>R. Lockhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 83 |
| Assigned to standing committee | 224 |
| Amendments | 428 |
| Read the second time | 429 |
| Read the third time | 615 |
| Transmitted to the Senate | 616 |
| Signed by the Speaker and transmitted to the Governor | 1094 |

H.B. 86 — PRIMARY CARE NETWORK AMENDMENTS (*K. Holdaway*)

- Read the first time by short title and referred to the Rules Committee. 83
- Assigned to standing committee 263
- Read the second time 316
- Read the third time 483
- Circled 483
- Uncircled 512
- Transmitted to the Senate 512
- Placed on Concurrence Calendar 1120
- Concurrence 1123
- Signed by the Speaker and transmitted to the Governor 1154

H.B. 87 — DIVORCE AND CUSTODY PROCEEDINGS (*J. Biskupski*)

- Read the first time by short title and referred to the Rules Committee. 83
- Enacting Clause Stricken 1175

H.B. 88 — STATE LAND USE MANAGEMENT PLANS (*B. Johnson*)

- Read the first time by short title and referred to the Rules Committee. 83
- Assigned to standing committee 180
- Amendments 210
- Read the second time 211
- Read the third time 347
- Amendments 347
- Transmitted to the Senate 349
- Placed on Concurrence Calendar 823
- Refuse to Concur 877
- Conference Committee Appointed 899
- Conference Committee Report 959
- Substituted 960

1st Sub. H.B. 88 — STATE LAND USE MANAGEMENT PLANS (*B. Johnson*)

- Signed by the Speaker and transmitted to the Governor 1015

H.B. 89 — SPECIAL GROUP LICENSE PLATE – ADOPT – CHOOSE LIFE (*M. Morley*)

- Read the first time by short title and referred to the Rules Committee. 83
- Substituted 705

1st Sub. H.B. 89 — SPECIAL GROUP LICENSE PLATE AMENDMENTS (*M. Morley*)

- Assigned to standing committee 705
- Returned to Rules Committee 835
- Enacting Clause Stricken 1175

H.B. 90 — ACCESS TO CHILD WELFARE HEARINGS (*M. Morley*)

- Read the first time by short title and referred to the Rules Committee. 84
- Assigned to standing committee 278
- Amendments 370
- Read the second time 370
- Read the third time 574
- Substituted 574

| | |
|---|------|
| 1st Sub. H.B. 90 — ACCESS TO CHILD WELFARE HEARINGS (<i>M. Morley</i>) | |
| Transmitted to the Senate | 575 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| H.B. 91 — UTAH ADMINISTRATIVE RULEMAKING ACT AMENDMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 180 |
| Read the second time | 210 |
| Read the third time | 346 |
| Transmitted to the Senate | 346 |
| Enacting Clause Stricken | 1173 |
| H.B. 92 — BRUCELLOSIS VACCINATION AMENDMENTS (<i>B. Johnson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 240 |
| Substituted | 280 |
| 1st Sub. H.B. 92 — BRUCELLOSIS VACCINATION AMENDMENTS (<i>B. Johnson</i>) | |
| Amendments | 280 |
| Read the second time | 281 |
| Read the third time | 448 |
| Amendments | 448 |
| Transmitted to the Senate | 449 |
| 2nd Sub. H.B. 92 — BRUCELLOSIS VACCINATION AMENDMENTS (<i>B. Johnson</i>) | |
| Placed on Concurrence Calendar | 823 |
| Concurrence | 873 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| H.B. 93 — DNA REIMBURSEMENT COSTS (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 239 |
| Reassigned to committee | 262 |
| Amendments | 338 |
| Read the second time | 339 |
| Read the third time | 490 |
| Transmitted to the Senate | 490 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| H.B. 94 — HEALTH INSURANCE POOL (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 179 |
| Read the second time | 229 |
| Read the third time | 391 |
| Amendments | 391 |
| Transmitted to the Senate | 392 |
| Placed on Concurrence Calendar | 853 |
| Concurrence | 909 |
| Signed by the Speaker and transmitted to the Governor | 929 |

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|--|------|
| H.B. 95 — CLARIFICATION OF DEPENDENT HEALTH CARE COVERAGE AMENDMENTS (<i>T. Kiser</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 224 |
| Read the second time | 268 |
| Read the third time | 343 |
| Transmitted to the Senate | 344 |
| Signed by the Speaker and transmitted to the Governor | 653 |
| | |
| H.B. 96 — STATUTE OF REPOSE (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 240 |
| Amendments | 282 |
| Read the second time | 282 |
| Read the third time | 465 |
| Amendments | 465 |
| Transmitted to the Senate | 466 |
| Signed by the Speaker and transmitted to the Governor | 722 |
| | |
| H.B. 97 — PROTECTIVE ORDER AMENDMENTS (<i>K. Holdaway</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 278 |
| Amendments | 368 |
| Read the second time | 370 |
| Read the third time | 540 |
| Transmitted to the Senate | 541 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 98 — ELIGIBILITY FOR INTERSCHOLASTIC ATHLETICS (<i>A. Hardy</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 224 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1175 |
| | |
| H.B. 99 — COMMON INTEREST OWNERSHIP ACT (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Enacting Clause Stricken | 1176 |
| | |
| H.B. 100 — SCHOOL PROFESSIONAL DEVELOPMENT DAYS (<i>B. Last</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 240 |
| Substituted | 357 |

1st Sub. H.B. 100 — SCHOOL PROFESSIONAL DEVELOPMENT DAYS (*B. Last*)

| | |
|---|------|
| Read the second time | 358 |
| Read the third time | 531 |
| Amendments | 531 |
| Circled | 531 |
| Uncircled | 570 |
| Amendments | 571 |
| Transmitted to the Senate | 572 |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1043 |
| Signed by the Speaker and transmitted to the Governor | 1063 |

H.B. 101 — MENTAL HEALTH SERVICES COORDINATOR (*D. Hogue*)

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 263 |
| Read the second time | 729 |
| Returned to Rules Committee | 729, 999 |
| Placed on calendar | 870 |
| Enacting Clause Stricken | 1176 |

H.B. 102 — RESIDENTIAL MORTGAGE PRACTICES AMENDMENTS (*E. Hutchings*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 263 |
| Returned to Rules Committee | 828 |
| Enacting Clause Stricken | 1176 |

H.B. 103 — SPECIAL DISTRICT FOR POLICE SERVICES (*T. McCartney*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 284 |
| Read the second time | 281 |
| Read the third time | 462 |
| Amendments | 462 |
| Failed | 465 |
| Enacting Clause Stricken | 1176 |

H.B. 104 — FILING AND PERFECTING OF WATER RIGHTS (*B. Johnson*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 199 |
| Returned to Rules Committee | 827 |
| Enacting Clause Stricken | 1176 |

H.B. 105 — CONTINUING EDUCATION FOR CONTRACTORS (*J. S. Adams*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 263 |
| Substituted | 370 |

1st Sub. H.B. 105 — CONTINUING EDUCATION FOR CONTRACTORS (*J. S. Adams*)

- Amendments 370
- Read the second time 374
- Read the third time 575
- Amendments 575
- Failed 576
- Reconsideration 627
- Circled 627
- Uncircled 642
- Amendments 642
- Transmitted to the Senate 643
- Placed on Concurrence Calendar 1108
- Concurrence 1115
- Signed by the Speaker and transmitted to the Governor 1154

H.B. 106 — HEALTH INSURANCE ACT AMENDMENTS (*J. Dunnigan*)

- Read the first time by short title and referred to the Rules Committee. 166
- Assigned to standing committee 207
- Amendments 265
- Read the second time 265
- Read the third time 443
- Amendments 443
- Transmitted to the Senate 444
- Placed on Concurrence Calendar 1027
- Concurrence 1044
- Signed by the Speaker and transmitted to the Governor 1087

H.B. 107 — APPROPRIATION TO MEET HIGHLY QUALIFIED TEACHER STANDARDS

- (K. Holdaway)*
- Read the first time by short title and referred to the Rules Committee. 183
- Assigned to standing committee 278
- Read the second time 725
- Returned to Rules Committee 725
- Enacting Clause Stricken 1176

H.B. 108 — INSURANCE AND RETIREMENT FOR CHARTER SCHOOL EMPLOYEES*(M. Newbold)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 183 |
| Assigned to standing committee | 349 |
| Reassigned to standing committee | 451 |
| Read the second time | 538 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 713 |
| Circled | 713 |
| Uncircled | 714 |
| Transmitted to the Senate | 715 |
| Amendments | 1144 |
| Placed on Concurrence Calendar | 1144 |
| Concurrence | 1150 |
| Signed by the Speaker and transmitted to the Governor | 1172 |

H.B. 109 — LEGAL PRESENCE PROVISIONS *(M. Thompson)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 200 |
| Substituted | 518 |

1st Sub. H.B. 109 — LEGAL PRESENCE PROVISIONS *(M. Thompson)*

| | |
|--|------|
| Assigned to standing committee | 518 |
| Read the second time | 685 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 928 |
| Returned to Rules Committee | 999 |
| Enacting Clause Stricken | 1176 |

H.B. 110 — EDUCATOR LICENSING AMENDMENTS *(D. Cox)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 200 |
| Assigned to standing committee | 312 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1176 |

H.B. 111 — MUNICIPAL GOVERNMENT AMENDMENTS *(W. Harper)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 200 |
| Assigned to standing committee | 240 |
| Substituted | 297 |

1st Sub. H.B. 111 — MUNICIPAL GOVERNMENT AMENDMENTS *(W. Harper)*

| | |
|-------------------------------------|-----|
| Amendments | 297 |
| Read the second time | 298 |
| Read the third time | 469 |
| Amendments | 469 |
| Transmitted to the Senate | 472 |

| | |
|---|------|
| 2nd Sub. H.B. 111 — LOCAL GOVERNMENT AMENDMENTS (<i>W. Harper</i>) | |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1044 |
| Signed by the Speaker and transmitted to the Governor | 1087 |
| H.B. 112 — ENROLLMENT GROWTH PROGRAM AMENDMENTS (<i>B. Last</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 200 |
| Assigned to standing committee | 349 |
| Returned to Rules Committee | 818 |
| Enacting Clause Stricken | 1176 |
| H.B. 113 — NONRESIDENT TUITION WAIVER FOR JOB CORPS STUDENTS (<i>L. Shurtliff</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 312 |
| Amendments | 477 |
| Read the second time | 477 |
| Read the third time | 662 |
| Transmitted to the Senate | 662 |
| Enacting Clause Stricken | 1173 |
| H.B. 114 — MONEY MANAGEMENT ACT AMENDMENTS (<i>D. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 337 |
| Amendments | 386 |
| Read the second time | 388 |
| Read the third time | 599 |
| Amendments | 599 |
| Transmitted to the Senate | 600 |
| Placed on Concurrence Calendar | 1092 |
| Concurrence | 1114 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| H.B. 115 — CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS (<i>J. M. Philpot</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 451 |
| Returned to Rules Committee | 832 |
| Read the second time | 851 |
| Read the third time | 860 |
| Circled | 860 |
| Uncircled | 865 |
| Substituted | 865 |
| 3rd Sub. H.B. 115 — CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS (<i>J. M. Philpot</i>) | |
| Amendments | 866 |
| Held | 868 |
| Transmitted to the Senate | 928 |
| Signed by the Speaker and transmitted to the Governor | 1109 |

| | |
|--|------|
| H.B. 116 — FACILITIES WITH REGIONAL IMPACT (<i>R. Becker</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 230 |
| Substituted | 311 |
| 1st Sub. H.B. 116 — FACILITIES WITH REGIONAL IMPACT (<i>R. Becker</i>) | |
| Assigned to standing committee | 311 |
| Read the second time | 357 |
| Read the third time | 516 |
| Circled | 516 |
| Uncircled | 572 |
| Substituted | 572 |
| 2nd Sub. H.B. 116 — FACILITIES WITH REGIONAL IMPACT (<i>R. Becker</i>) | |
| Transmitted to the Senate | 573 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| H.B. 117 — INDIVIDUAL INCOME TAX – TREATMENT OF CERTAIN MILITARY INCOME (<i>D. Peterson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 338 |
| Read the second time | 390 |
| Read the third time | 601 |
| Transmitted to the Senate | 602 |
| Enacting Clause Stricken | 1173 |
| H.B. 118 — BRAND INSPECTION AMENDMENTS (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 278 |
| Read the second time | 376 |
| Read the third time | 578 |
| Transmitted to the Senate | 579 |
| Enacting Clause Stricken | 1173 |
| H.B. 119 — FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 278 |
| Substituted | 538 |
| 1st Sub. H.B. 119 — FENCING RESPONSIBILITIES WITH GREENBELT OR CONSERVATION EASEMENT (<i>D. Ure</i>) | |
| Read the second time | 538 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 750 |
| Transmitted to the Senate | 751 |
| Signed by the Speaker and transmitted to the Governor | 1154 |

| | |
|---|------|
| H.B. 120 — CHILD WELFARE FUNDING FOR IN-HOME SERVICES (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 278 |
| Amendments | 473 |
| Read the second time | 474 |
| Read the third time | 550 |
| Transmitted to the Senate | 551 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 121 — CODE OF CRIMINAL PROCEDURE AMENDMENTS (<i>J. Seitz</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 230 |
| Assigned to standing committee | 364 |
| Amendments | 431 |
| Read the second time | 432 |
| Read the third time | 621 |
| Transmitted to the Senate | 621 |
| Placed on Concurrence Calendar | 1015 |
| Concurrence | 1041 |
| Signed by the Speaker and transmitted to the Governor | 1063 |
| | |
| H.B. 122 — PRIVATE INVESTIGATOR AMENDMENTS (<i>M. Dayton</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 230 |
| Assigned to standing committee | 337 |
| Amendments | 432 |
| Read the second time | 433 |
| Read the third time | 621 |
| Transmitted to the Senate | 622 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 123 — DRUG LAB CLEANUP AND DISCLOSURE (<i>D. Litvack</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 350 |
| Substituted | 374 |
| | |
| 1st Sub. H.B. 123 — DRUG LAB CLEANUP AND DISCLOSURE (<i>D. Litvack</i>) | |
| Read the second time | 375 |
| Read the third time | 577 |
| Transmitted to the Senate | 578 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 124 — SMALL CLAIMS COURT JURISDICTION AMENDMENTS (<i>S. Urquhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 312 |
| Read the second time | 370 |
| Read the third time | 542 |
| Amendments | 543 |
| Transmitted to the Senate | 543 |
| Signed by the Speaker and transmitted to the Governor | 1094 |

H.B. 125 — COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES AMENDMENTS
(T. Kiser)

Read the first time by short title and referred to the Rules Committee. 231

Assigned to standing committee 312

Amendments 355

Read the second time 356

Circled 515

Uncircled 570

Held 570

Transmitted to the Senate 604

Signed by the Speaker and transmitted to the Governor 1122

H.B. 126 — TEACHER CLASSIFICATIONS *(R. Bigelow)*

Read the first time by short title and referred to the Rules Committee. 231

Assigned to standing committee 337

Amendments 477

Read the second time 477

Read the third time 663

Circled 663

Uncircled 691

Transmitted to the Senate 692

Signed by the Speaker and transmitted to the Governor 1029

H.B. 127 — CERTIFIED MEDICATION AIDE *(R. Lockhart)*

Read the first time by short title and referred to the Rules Committee. 249

Assigned to standing committee 385

Returned to Rules Committee 825

Enacting Clause Stricken 1176

H.B. 128 — AMENDMENTS TO OPERATING UNDER THE INFLUENCE *(D. Love)*

Read the first time by short title and referred to the Rules Committee. 249

Assigned to standing committee 337

Read the second time 370

Read the third time 542

Substituted 542

2nd Sub. H.B. 128 — AMENDMENTS TO OPERATING UNDER THE INFLUENCE *(D. Love)*

Transmitted to the Senate 542

Placed on Concurrence Calendar 1092

Concurrence 1112

Signed by the Speaker and transmitted to the Governor 1154

H.B. 129 — CHILD PROTECTION TEAM MEETINGS (*C. Bennion*)

- Read the first time by short title and referred to the Rules Committee. 249
- Assigned to standing committee 350
- Read the second time 503
- Read the third time 586
- Transmitted to the Senate 587
- Enacting Clause Stricken 1173

H.B. 130 — KINDERGARTEN ASSESSMENT REQUIREMENTS (*K. Morgan*)

- Read the first time by short title and referred to the Rules Committee. 249
- Assigned to standing committee 519
- Returned to Rules Committee 832
- Enacting Clause Stricken 1176

H.B. 131 — EMINENT DOMAIN AMENDMENTS (*B. Ferry*)

- Read the first time by short title and referred to the Rules Committee. 249
- Assigned to standing committee 364
- Read the second time 458
- Read the third time 622
- Transmitted to the Senate 623
- Signed by the Speaker and transmitted to the Governor 1094

H.B. 132 — DRIVER LICENSE AMENDMENTS (*D. Ure*)

- Read the first time by short title and referred to the Rules Committee. 249
- Assigned to standing committee 567
- Read the second time 657, 851
- Returned to Rules Committee 705
- Read the third time 968
- Circled 968
- Returned to Rules Committee 999
- Enacting Clause Stricken 1176

H.B. 133 — PROPERTY TAX – VETERAN’S EXEMPTION (*D. Bush*)

- Read the first time by short title and referred to the Rules Committee. 249
- Assigned to standing committee 605
- Read the second time 723
- Returned to Rules Committee 723
- Placed on calendar 753
- Read the third time 839
- Circled 839
- Uncircled 848
- Transmitted to the Senate 849
- Signed by the Speaker and transmitted to the Governor 1154

H.B. 134 — PROVISION FOR PARAMEDICS IN CITIES OF COUNTIES OF THE SECOND CLASS (*A. Hardy*)

- Read the first time by short title and referred to the Rules Committee. 249
- Enacting Clause Stricken 1176

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|---|------|
| H.B. 135 — NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT (<i>M. S. Lawrence</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 249 |
| Assigned to standing committee | 423 |
| Amendments | 507 |
| Read the second time | 509 |
| Read the third time | 702 |
| Substituted | 703 |
| | |
| 1st Sub. H.B. 135 — NOTIFICATION OF SCHOOL DISTRICT OF VIOLENT OFFENSE BY A STUDENT (<i>M. S. Lawrence</i>) | |
| Amendments | 703 |
| Transmitted to the Senate | 703 |
| Signed by the Speaker and transmitted to the Governor | 1109 |
| | |
| H.B. 136 — ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS (<i>M. Morley</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 249 |
| Assigned to standing committee | 422 |
| Substituted | 479 |
| | |
| 1st Sub. H.B. 136 — ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS (<i>M. Morley</i>) | |
| Read the second time | 480 |
| Read the third time | 670 |
| Circled | 670 |
| Uncircled | 674 |
| Substituted | 674 |
| | |
| 3rd Sub. H.B. 136 — ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS (<i>M. Morley</i>) | |
| Transmitted to the Senate | 675 |
| | |
| 6th Sub. H.B. 136 — ELECTRONIC FILING OF PRELIMINARY LIEN DOCUMENTS (<i>M. Morley</i>) | |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1045 |
| Signed by the Speaker and transmitted to the Governor | 1087 |
| | |
| H.B. 137 — CAMPAIGN FINANCE DISCLOSURE IN MUNICIPAL ELECTIONS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 249 |
| Assigned to standing committee | 423 |
| Substituted | 561 |

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| 1st Sub. H.B. 137 — CAMPAIGN FINANCE DISCLOSURE IN MUNICIPAL ELECTIONS (<i>J. Dougall</i>) | |
| Read the second time | 561 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 788 |
| Amendments | 789 |
| Transmitted to the Senate | 790 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 138 — TRESPASSING ON STATE PARK LANDS (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 249 |
| Assigned to standing committee | 364 |
| Read the second time | 503 |
| Read the third time | 676 |
| Amendments | 676, 688 |
| Circled | 677 |
| Uncircled | 688 |
| Transmitted to the Senate | 689 |
| Placed on Concurrence Calendar | 1120 |
| Refuse to Concur | 1122 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 139 — EVIDENCE AMENDMENTS (<i>J. Murray</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Assigned to standing committee | 519 |
| Read the second time | 650 |
| Read the third time | 756 |
| Transmitted to the Senate | 756 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 140 — CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS (<i>L. Christensen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Assigned to standing committee | 645 |
| Substituted | 725 |
| | |
| 1st Sub. H.B. 140 — CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS (<i>L. Christensen</i>) | |
| Amendments | 725 |
| Read the second time | 725 |
| Returned to Rules Committee | 725 |
| Placed on calendar | 754 |
| Read the third time | 857 |
| Substituted | 857 |

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|--|------|
| 3rd Sub. H.B. 140 — CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE | |
| AMENDMENTS (<i>L. Christensen</i>) | |
| Amendments | 857 |
| Circled | 859 |
| Uncircled | 929 |
| Amendments | 929 |
| Transmitted to the Senate | 940 |
| Placed on Concurrence Calendar | 1120 |
| Concurrence | 1136 |
| Signed by the Speaker and transmitted to the Governor | 1164 |
| H.B. 141 — ABORTION LAW AMENDMENTS (<i>J. Philpot</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Enacting Clause Stricken | 1176 |
| H.B. 142 — AUDIT REQUIREMENTS FOR POLITICAL SUBDIVISIONS (<i>B. Ferry</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Assigned to standing committee | 492 |
| Read the second time | 506 |
| Read the third time | 699 |
| Substituted | 699 |
| 1st Sub. H.B. 142 — AUDIT REQUIREMENTS FOR POLITICAL SUBDIVISIONS (<i>B. Ferry</i>) | |
| Transmitted to the Senate | 700 |
| Signed by the Speaker and transmitted to the Governor | 1109 |
| H.B. 143 — SPECIAL LICENSE PLATES (<i>C. Duckworth</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Enacting Clause Stricken | 1176 |
| H.B. 144 — SPECIAL LICENSE PLATE – SPRINGVILLE HIGH BOOSTER CLUB (<i>C. Bird</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Enacting Clause Stricken | 1176 |
| H.B. 145 — APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE (<i>S. Urquhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 250 |
| Assigned to standing committee | 350 |
| Amendments | 474 |
| Read the second time | 476 |
| Read the third time | 661 |
| Amendments | 661 |
| Transmitted to the Senate | 662 |
| 3rd Sub. H.B. 145 — APPROVAL REQUIRED FOR DISPOSAL OF RADIOACTIVE WASTE | |
| (<i>S. Urquhart</i>) | |
| Placed on Concurrence Calendar | 1062 |
| Concurrence | 1088 |
| Signed by the Speaker and transmitted to the Governor | 1109 |

H.B. 146 — COUNTY COOPERATIVE AGREEMENTS WITH STATE FOR FIRE PROTECTION
(C. Buttars)

Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 423
Read the second time 538
Returned to Rules Committee 705
Placed on calendar 706
Read the third time 713
Transmitted to the Senate 714
Signed by the Speaker and transmitted to the Governor 1029

H.B. 147 — MUNICIPAL CODE CONDEMNATION AMENDMENTS *(L. Christensen)*

Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 492
Amendments 659
Read the second time 661
Returned to Rules Committee 705
Placed on calendar 753
Read the third time 836
Transmitted to the Senate 837
Signed by the Speaker and transmitted to the Governor 1122

H.B. 148 — OPTOMETRY AMENDMENTS *(B. Last)*

Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 519
Read the second time 738
Returned to Rules Committee 738
Placed on calendar 753
Read the third time 787
Transmitted to the Senate 787
Signed by the Speaker and transmitted to the Governor 1122

H.B. 149 — NEW AUTOMOBILE FRANCHISE ACT *(G. Curtis)*

Read the first time by short title and referred to the Rules Committee. 250
Assigned to standing committee 385
Read the second time 434
Read the third time 622
Circled 622
Uncircled 639
Substituted 640

1st Sub. H.B. 149 — NEW AUTOMOBILE FRANCHISE ACT *(G. Curtis)*

Circled 640
Uncircled 665
Transmitted to the Senate 666
Signed by the Speaker and transmitted to the Governor 1125

H.B. 150 — WORKERS' COMPENSATION – FIRE DEPARTMENT EMPLOYEES (*J. Murray*)

- Read the first time by short title and referred to the Rules Committee. 250
- Assigned to standing committee 424
- Read the second time 505
- Read the third time 682
- Failed 683
- Reconsideration 720
- Circled 720, 773
- Uncircled 773, 797
- Transmitted to the Senate 798
- Enacting Clause Stricken 1173

H.B. 151 — DIVISION OF CHILD AND FAMILY SERVICES AMENDMENTS (*E. Hutchings*)

- Read the first time by short title and referred to the Rules Committee. 250

H.B. 151 — PROTECTIVE CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT CHILDREN (*E. Hutchings*)

- Assigned to standing committee 704
- Substituted 828

1st Sub. H.B. 151 — PROTECTIVE CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT CHILDREN (*E. Hutchings*)

- Returned to Rules Committee 830
- Enacting Clause Stricken 1176

H.B. 152 — CHARTER SCHOOL GOVERNANCE (*M. Dillree*)

- Read the first time by short title and referred to the Rules Committee. 250
- Assigned to standing committee 451
- Amendments 610
- Read the second time 612
- Returned to Rules Committee 705
- Placed on calendar 706
- Read the third time 716
- Amendments 716
- Transmitted to the Senate 720

1st Sub. H.B. 152 — CHARTER SCHOOL GOVERNANCE (*M. Dillree*)

- Placed on Concurrence Calendar 889
- Concurrence 889
- Signed by the Speaker and transmitted to the Governor 918

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| H.B. 153 — COMMERCIAL DRIVER LICENSE AMENDMENTS (<i>C. Bird</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 453 |
| Read the second time | 507 |
| Read the third time | 702 |
| Held for possible reconsideration | 702 |
| Transmitted to the Senate | 752 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 154 — STATE AND LOCAL GOVERNMENT PLANNING (<i>C. Buttars</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Enacting Clause Stricken | 1176 |
| | |
| H.B. 155 — STATE FAIR AMENDMENTS (<i>C. Buttars</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Enacting Clause Stricken | 1176 |
| | |
| H.B. 156 — CHANGES TO STATE GOVERNMENT (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Enacting Clause Stricken | 1176 |
| | |
| H.B. 157 — TRANSPORTATION AMENDMENTS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 453 |
| Amendments | 506 |
| Read the second time | 507 |
| Read the third time | 700 |
| Amendments | 700 |
| Transmitted to the Senate | 701 |
| Placed on Concurrence Calendar | 1108 |
| Concurrence | 1116 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 158 — WATER SHARES IN A MUNICIPAL WATER COMPANY (<i>G. Hughes</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 385 |
| Read the second time | 503 |
| Read the third time | 675 |
| Amendments | 675 |
| Transmitted to the Senate | 676 |
| Placed on Concurrence Calendar | 1092 |
| Concurrence | 1113 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 159 — ECONOMIC DEVELOPMENT (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Enacting Clause Stricken | 1176 |

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|---|------|
| H.B. 160 — MORTGAGE ACT AMENDMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 312 |
| Substituted | 478 |
| 2nd Sub. H.B. 160 — MORTGAGE ACT AMENDMENTS (<i>W. Harper</i>) | |
| Amendments | 478 |
| Read the second time | 480 |
| Read the third time | 663 |
| Transmitted to the Senate | 663 |
| Placed on Concurrence Calendar | 1144 |
| Concurrence | 1151 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| H.B. 161 — LAW ENFORCEMENT AMENDMENTS (<i>C. Moss</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 350 |
| Read the second time | 375 |
| Read the third time | 458 |
| Transmitted to the Senate | 459 |
| Signed by the Speaker and transmitted to the Governor | 722 |
| H.B. 162 — CANDIDACY FOR MUNICIPAL ELECTIONS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 279 |
| Read the second time | 357 |
| Read the third time | 516 |
| Circled | 516 |
| Uncircled | 613 |
| Transmitted to the Senate | 614 |
| Placed on Concurrence Calendar | 1134 |
| Concurrence | 1137 |
| 1st Sub. H.B. 162 — MUNICIPAL ELECTION AMENDMENTS (<i>J. Dougall</i>) | |
| Signed by the Speaker and transmitted to the Governor | 1164 |
| H.B. 163 — RESIDENTIAL MORTGAGE PRACTICES – EMPLOYMENT SECURITY REVISIONS (<i>S. Urquhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Enacting Clause Stricken | 1176 |
| H.B. 164 — NONRESIDENT TUITION WAIVER FOR NATIONAL GUARD MEMBERS (<i>B. King</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 350 |
| Substituted | 431 |

1st Sub. H.B. 164 — RESIDENT TUITION STATUS FOR NATIONAL GUARD MEMBERS*(B. King)*

| | |
|---|-----|
| Read the second time | 432 |
| Read the third time | 526 |
| Transmitted to the Senate | 526 |
| Placed on Concurrence Calendar | 870 |
| Concurrence | 909 |
| Signed by the Speaker and transmitted to the Governor | 929 |

H.B. 165 — CHILD PROTECTION REGISTRY *(M. Styler)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 338 |
| Read the second time | 432 |
| Read the third time | 618 |
| Amendments | 619 |
| Transmitted to the Senate | 620 |

1st Sub. H.B. 165 — CHILD PROTECTION REGISTRY *(M. Styler)*

| | |
|---|------|
| Placed on Concurrence Calendar | 1120 |
| Concurrence | 1122 |
| Signed by the Speaker and transmitted to the Governor | 1154 |

H.B. 166 — CONCEALED FIREARM PERMIT AMENDMENTS *(D. Hogue)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 350 |
| Amendments | 429 |
| Read the second time | 432 |
| Read the third time | 617 |
| Amendments | 617 |
| Failed | 618 |
| Enacting Clause Stricken | 1176 |

H.B. 167 — PUBLIC SERVICE COMMISSION – REGULATION OF CABLE COMPANIES*(D. Hogue)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 423 |
| Returned to Rules Committee | 831 |
| Enacting Clause Stricken | 1176 |

| | |
|--|------|
| H.B. 168 — INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX TASK FORCE (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 338 |
| Read the second time | 390 |
| Read the third time | 602 |
| Amendments | 602 |
| Transmitted to the Senate | 604 |
| Placed on Concurrence Calendar | 889 |
| Concurrence | 891 |
| Signed by the Speaker and transmitted to the Governor | 918 |
| | |
| H.B. 169 — MAIL THEFT AMENDMENTS (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 350 |
| Read the second time | 432 |
| Read the third time | 524 |
| Transmitted to the Senate | 525 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 170 — OFFICE OF THE ATTORNEY GENERAL RESPONSIBILITIES (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 213 |
| Assigned to standing committee | 337 |
| Amendments | 433 |
| Read the second time | 434 |
| Uncircled | 625 |
| Amendments | 625 |
| Transmitted to the Senate | 627 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 171 — INSURANCE FRAUD AMENDMENTS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 183 |
| Assigned to standing committee | 223 |
| Amendments | 319 |
| Read the second time | 320 |
| Read the third time | 487 |
| Transmitted to the Senate | 488 |
| Placed on Concurrence Calendar | 823 |
| Concurrence | 875 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 172 — INSURANCE LIQUIDATION LAW AMENDMENTS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 223 |
| Amendments | 318 |
| Read the second time | 320 |
| Read the third time | 486 |
| Transmitted to the Senate | 487 |
| Signed by the Speaker and transmitted to the Governor | 824 |

H.B. 173 — LIABILITY INSURANCE FOR CONTRACTORS – MONITORING SYSTEM*(M. Morley)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 364 |
| Amendments | 827 |
| Returned to Rules Committee | 828 |
| Enacting Clause Stricken | 1176 |

H.B. 174 — FORENSIC MENTAL HEALTH AMENDMENTS *(J. Seitz)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 95 |
| Amendments | 191 |
| Read the second time | 192 |
| Read the third time | 287 |
| Transmitted to the Senate | 288 |
| Recalled | 531 |
| Transmitted to the Senate | 531 |
| Placed on Concurrence Calendar | 607 |
| Concurrence | 638 |
| Signed by the Speaker and transmitted to the Governor | 669 |

H.B. 175 — PROCESS FOR FILLING MIDTERM VACANCIES IN THE LEGISLATURE*(W. Harper)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 80 |
| Read the second time | 98 |
| Read the third time | 147 |
| Circled | 147 |
| Uncircled | 148 |
| Transmitted to the Senate | 149 |
| Enacting Clause Stricken | 1173 |

H.B. 176 — CHILD RESTRAINT SAFETY DEVICES *(C. Moss)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Enacting Clause Stricken | 1176 |

H.B. 177 — INTERFERENCE WITH SCHOOL ACTIVITIES *(B. Last)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Enacting Clause Stricken | 1176 |

H.B. 178 — MOTOR VEHICLE PURCHASE AMENDMENTS *(D. Bush)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 81 |
| Read the second time | 119 |
| Read the third time | 155 |
| Transmitted to the Senate | 156 |
| Signed by the Speaker and transmitted to the Governor | 336 |

| | |
|---|------|
| H.B. 179 — VULNERABLE ADULT ABUSE AMENDMENTS (<i>P. Jones</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 224 |
| Amendments | 266 |
| Read the second time | 268 |
| Read the third time | 342 |
| Transmitted to the Senate | 343 |
| Signed by the Speaker and transmitted to the Governor | 824 |
| | |
| H.B. 180 — DEATH PENALTY PROVISIONS (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 81 |
| Read the second time | 120 |
| Read the third time | 171 |
| Circled | 171 |
| Uncircled | 171 |
| Amendments | 172 |
| Transmitted to the Senate | 174 |
| Placed on Concurrence Calendar | 607 |
| Concurrence | 638 |
| Signed by the Speaker and transmitted to the Governor | 669 |
| | |
| H.B. 181 — FLUORINE COST REQUIREMENTS (<i>M. Morley</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 95 |
| Amendments | 140 |
| Read the second time | 143 |
| Read the third time | 175 |
| Circled | 175 |
| Uncircled | 269 |
| Substituted | 269 |
| | |
| 1st Sub. H.B. 181 — FLUORINE COST REQUIREMENTS (<i>M. Morley</i>) | |
| Amendments | 269 |
| Transmitted to the Senate | 272 |
| Enacting Clause Stricken | 1173 |
| | |
| H.B. 182 — CONSTRUCTION LIEN AMENDMENTS (<i>S. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 74 |
| Assigned to standing committee | 79 |
| Substituted | 192 |

| | |
|---|------|
| 1st Sub. H.B. 182 — CONSTRUCTION LIEN AMENDMENTS (<i>S. Clark</i>) | |
| Amendments | 192 |
| Read the second time | 192 |
| Read the third time | 325 |
| Transmitted to the Senate | 326 |
| Reconsideration | 344 |
| Amendments | 344 |
| Transmitted to the Senate | 345 |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1046 |
| Signed by the Speaker and transmitted to the Governor | 1087 |
| | |
| H.B. 183 — CONDITIONS FOR RELEASE AFTER NOTICE REGARDING ARREST FOR DOMESTIC VIOLENCE (<i>P. Wallace</i>) | |
| Read the first time by short title and referred to the Rules Committee | 74 |
| Assigned to standing committee | 95 |
| Read the second time | 162 |
| Read the third time | 206 |
| Transmitted to the Senate | 206 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| | |
| H.B. 184 — VOYEURISM AMENDMENTS (<i>B. Goodfellow</i>) | |
| Read the first time by short title and referred to the Rules Committee | 74 |
| Assigned to standing committee | 81 |
| Amendments | 99 |
| Read the second time | 100 |
| Read the third time | 149 |
| Amendments | 150 |
| Transmitted to the Senate | 150 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| | |
| H.B. 185 — LAW ENFORCEMENT – REPORTING HAZARDOUS MATERIALS RELATING TO CONTROLLED SUBSTANCES (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee | 74 |
| Enacting Clause Stricken | 1176 |
| | |
| H.B. 186 — EVALUATION AND COUNSELING PRIOR TO TERMINATION PROCEEDINGS (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee | 74 |
| Assigned to standing committee | 80 |
| Read the second time | 117 |
| Read the third time | 153 |
| Transmitted to the Senate | 154 |
| Signed by the Speaker and transmitted to the Governor | 368 |

| | |
|--|----------|
| H.B. 187 — VIATICAL SETTLEMENT ACT (<i>J. Dunnigan</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 79 |
| Amendments | 162 |
| Read the second time | 163 |
| Read the third time | 232 |
| Amendments | 233 |
| Transmitted to the Senate | 233 |
| | |
| 1st Sub. H.B. 187 — VIATICAL SETTLEMENT ACT (<i>J. Dunnigan</i>) | |
| Placed on Concurrence Calendar | 607 |
| Concurrence | 636 |
| Signed by the Speaker and transmitted to the Governor | 669 |
| | |
| H.B. 188 — DONATION OF SURPLUS COMPUTERS TO PERSONS WITH A DISABILITY (<i>C. Bird</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 187 |
| Read the second time | 229 |
| Read the third time | 390 |
| Transmitted to the Senate | 391 |
| Signed by the Speaker and transmitted to the Governor | 669 |
| | |
| H.B. 189 — TOBACCO COMPLIANCE AMENDMENTS (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 80 |
| Amendments | 92 |
| Read the second time | 93 |
| Read the third time | 130 |
| Transmitted to the Senate | 131, 775 |
| Recalled | 757 |
| Reconsideration | 769 |
| Circled | 769 |
| Uncircled | 773 |
| Amendments | 774 |
| Signed by the Speaker and transmitted to the Governor | 456, 799 |
| | |
| H.B. 190 — RESTRICTING WIRELESS TELEPHONE USE FOR SCHOOL BUS DRIVERS (<i>N. Hendrickson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 81 |
| Read the second time | 119 |
| Read the third time | 156 |
| Transmitted to the Senate | 157 |
| Failed | 629 |
| Enacting Clause Stricken | 1176 |

| | |
|--|------|
| H.B. 191 — CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS (<i>G. Snow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 81 |
| Read the second time | 98 |
| Read the third time | 149 |
| Transmitted to the Senate | 149 |
| Signed by the Speaker and transmitted to the Governor | 336 |
| H.B. 192 — REPEAL OF THRIFTS SETTLEMENT FINANCING PROVISIONS (<i>G. Curtis</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 79 |
| Read the second time | 163 |
| Read the third time | 214 |
| Transmitted to the Senate | 215 |
| Signed by the Speaker and transmitted to the Governor | 368 |
| H.B. 193 — COMMISSION ON CRIMINAL AND JUVENILE JUSTICE (<i>M. S. Lawrence</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 81 |
| Read the second time | 100 |
| Read the third time | 150 |
| Transmitted to the Senate | 151 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| H.B. 194 — COMMISSION ON CRIMINAL AND JUVENILE JUSTICE MEMBERSHIP | |
| (<i>R. McGee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 136 |
| Returned to Rules Committee | 830 |
| Enacting Clause Stricken | 1176 |
| H.B. 195 — CONSUMER PROTECTION AMENDMENTS (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 79 |
| Substituted | 163 |
| 1st Sub. H.B. 195 — CONSUMER PROTECTION AMENDMENTS (<i>S. Allen</i>) | |
| Amendments | 163 |
| Read the second time | 163 |
| Read the third time | 233 |
| Transmitted to the Senate | 234 |
| Signed by the Speaker and transmitted to the Governor | 1029 |
| H.B. 196 — SAFETY INSPECTION AND EMISSION AMENDMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 81 |
| Returned to Rules Committee | 835 |
| Enacting Clause Stricken | 1177 |

H.B. 197 — LIMIT ON CHILD WELFARE RECOMMENDATIONS AND RULINGS*(M. Thompson)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 80 |
| Amendments | 160 |
| Read the second time | 162 |
| Read the third time | 221 |
| Amendments | 221 |
| Transmitted to the Senate | 221 |
| Signed by the Speaker and transmitted to the Governor | 1029 |

H.B. 198 — CHILD WELFARE COURT REPORTS *(M. Thompson)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 80 |
| Substituted | 191 |

2nd Sub. H.B. 198 — CHILD WELFARE COURT REPORTS *(M. Thompson)*

| | |
|---|-----|
| Read the second time | 192 |
| Read the third time | 285 |
| Circled | 285 |
| Uncircled | 289 |
| Amendments | 289 |
| Transmitted to the Senate | 290 |
| Placed on Concurrence Calendar | 652 |
| Concurrence | 707 |
| Signed by the Speaker and transmitted to the Governor | 755 |

H.B. 199 — DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING *(C. Moss)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 180 |
| Read the second time | 200 |
| Read the third time | 344 |
| Amendments | 344 |
| Circled | 344 |
| Uncircled | 512 |
| Substituted | 513 |

1st Sub. H.B. 199 — DISRUPTION OF ACTIVITIES IN OR NEAR SCHOOL BUILDING*(C. Moss)*

| | |
|---|------|
| Amendments | 513 |
| Transmitted to the Senate | 513 |
| Signed by the Speaker and transmitted to the Governor | 1029 |

H.B. 200 — RECOGNITION OF FOREIGN ADOPTIONS *(W. Harper)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 75 |
| Assigned to standing committee | 135 |
| Substituted | 191 |

| | |
|--|-----|
| 1st Sub. H.B. 200 — RECOGNITION OF FOREIGN ADOPTIONS (<i>W. Harper</i>) | |
| Read the second time | 192 |
| Read the third time | 288 |
| Transmitted to the Senate | 289 |
| Signed by the Speaker and transmitted to the Governor | 560 |
| H.B. 201 — TRAFFIC SIGNAL PREEMPTION DEVICE (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 82 |
| Read the second time | 119 |
| Read the third time | 167 |
| Transmitted to the Senate | 168 |
| Signed by the Speaker and transmitted to the Governor | 336 |
| H.B. 202 — MAIL ORDER TOBACCO SALES AMENDMENTS (<i>R. Lockhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 79 |
| H.B. 202 — MAIL ORDER TOBACCO SALES AMENDMENTS (<i>E. Hutchings</i>) | |
| Substituted | 192 |
| 1st Sub. H.B. 202 — MAIL ORDER TOBACCO SALES AMENDMENTS (<i>E. Hutchings</i>) | |
| Read the second time | 192 |
| Read the third time | 290 |
| Circled | 290 |
| Uncircled | 324 |
| Amendments | 324 |
| Transmitted to the Senate | 325 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| H.B. 203 — SPECIAL GROUP LICENSE PLATE (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 95 |
| Read the second time | 119 |
| Read the third time | 168 |
| Transmitted to the Senate | 169 |
| Signed by the Speaker and transmitted to the Governor | 456 |
| H.B. 204 — PUBLIC UTILITIES REVISIONS (<i>G. Curtis</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 95 |
| Read the second time | 160 |
| Read the third time | 205 |
| Transmitted to the Senate | 205 |
| Signed by the Speaker and transmitted to the Governor | 608 |

| | |
|---|----------|
| H.B. 205 — STATE SETTLEMENT AGREEMENTS AMENDMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 135 |
| Read the second time | 183 |
| Read the third time | 283 |
| Transmitted to the Senate | 283 |
| Signed by the Speaker and transmitted to the Governor | 1029 |
| | |
| H.B. 206 — CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 94 |
| Amendments | 212 |
| Read the second time | 213 |
| Read the third time | 361 |
| Substituted | 361 |
| Amendments | 361 |
| | |
| 2nd Sub. H.B. 206 — CONSTITUTIONAL DEFENSE COUNCIL AMENDMENTS (<i>M. Noel</i>) | |
| Transmitted to the Senate | 363 |
| Placed on Concurrence Calendar | 652 |
| Concurrence | 708 |
| Signed by the Speaker and transmitted to the Governor | 755 |
| | |
| H.B. 207 — HEALTH INSURANCE AMENDMENTS (<i>R. Lockhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 223 |
| Substituted | 223, 267 |
| | |
| 2nd Sub. H.B. 207 — HEALTH INSURANCE AMENDMENTS (<i>R. Lockhart</i>) | |
| Read the second time | 268 |
| Read the third time | 447 |
| Circled | 447 |
| Uncircled | 461 |
| Amendments | 461 |
| Transmitted to the Senate | 462 |
| Signed by the Speaker and transmitted to the Governor | 903 |
| | |
| H.B. 208 — REGULATION OF MOTORIZED SCOOTERS (<i>B. Dee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 158 |
| Amendments | 834 |
| Returned to Rules Committee | 835 |
| Enacting Clause Stricken | 1177 |

| | |
|---|------|
| H.B. 209 — LICENSING OF PLUMBING AND ELECTRICAL TRADES (<i>S. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 94 |
| Read the second time | 163 |
| Read the third time | 232 |
| Transmitted to the Senate | 232 |
| Placed on Concurrence Calendar | 607 |
| Concurrence | 635 |
| Signed by the Speaker and transmitted to the Governor | 669 |
| | |
| H.B. 210 — LAW ENFORCEMENT EMPLOYEE BACKGROUND CHECKS (<i>L. Pace</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 136 |
| Read the second time | 164 |
| Read the third time | 234 |
| Circled | 234 |
| Uncircled | 235 |
| Transmitted to the Senate | 236 |
| Signed by the Speaker and transmitted to the Governor | 608 |
| | |
| H.B. 211 — RENEWAL OF FISHING LICENSE (<i>J. M. Philpot</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 263 |
| Substituted | 339 |
| | |
| 1st Sub. H.B. 211 — RENEWAL OF FISHING LICENSE (<i>J. M. Philpot</i>) | |
| Read the second time | 339 |
| Read the third time | 496 |
| Transmitted to the Senate | 497 |
| Signed by the Speaker and transmitted to the Governor | 722 |
| | |
| H.B. 212 — TRAFFIC ACCIDENT RESPONSE (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 180 |
| Read the second time | 200 |
| Read the third time | 326 |
| Transmitted to the Senate | 327 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 213 — CHANGES TO INVESTMENT ADVISORY COMMITTEE (<i>D. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 135 |
| Amendments | 182 |
| Read the second time | 183 |
| Read the third time | 282 |
| Circled | 282 |
| Uncircled | 286 |
| Transmitted to the Senate | 287 |
| Signed by the Speaker and transmitted to the Governor | 869 |

| | |
|--|------|
| H.B. 214 — SCHOOL AND INSTITUTIONAL TRUST LANDS – CLARIFYING REFERENCES TO RULES AND POLICIES (<i>J. Gowans</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 199 |
| Read the second time | 242 |
| Read the third time | 399 |
| Transmitted to the Senate | 399 |
| Signed by the Speaker and transmitted to the Governor | 653 |
| | |
| H.B. 215 — UNIFORM BUILDING STANDARDS AMENDMENTS (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 188 |
| Read the second time | 245 |
| Read the third time | 403 |
| Substituted | 403 |
| | |
| 1st Sub. H.B. 215 — BUILDING STANDARDS AMENDMENTS (<i>J. S. Adams</i>) | |
| Transmitted to the Senate | 404 |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1047 |
| Signed by the Speaker and transmitted to the Governor | 1087 |
| | |
| H.B. 216 — INTERNET PRIVACY ACT (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 207 |
| Substituted | 831 |
| | |
| 1st Sub. H.B. 216 — INTERNET PRIVACY ACT (<i>W. Harper</i>) | |
| Returned to Rules Committee | 831 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 217 — CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 179 |
| Substituted | 245 |
| | |
| 1st Sub. H.B. 217 — CHANGES TO DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT CONTRACT PROCEDURES AND REQUIREMENTS (<i>W. Harper</i>) | |
| Read the second time | 246 |
| Read the third time | 435 |
| Circled | 435 |
| Uncircled | 439 |
| Transmitted to the Senate | 439 |
| Signed by the Speaker and transmitted to the Governor | 1029 |

H.B. 218 — PRIVATE HEALTH INSURANCE – WAIVER OF HEALTH CONDITION*(C. Bennion)*

| | |
|--|------|
| Read the first time by short title and referred to the Rules Committee | 84 |
| Assigned to standing committee | 207 |
| Amendments | 267 |
| Read the second time | 268 |
| Read the third time | 447 |
| Circled | 448 |
| Uncircled | 449 |
| Transmitted to the Senate | 450 |
| Placed on Concurrence Calendar | 901 |
| Concurrence | 1002 |
| Signed by the Speaker and transmitted to the Governor | 1015 |

H.B. 219 — CONSTRUCTION BOND AMENDMENTS *(M. Morley)*

| | |
|--|----------|
| Read the first time by short title and referred to the Rules Committee | 84 |
| Assigned to standing committee | 187 |
| Amendments | 229, 396 |
| Read the second time | 230 |
| Read the third time | 396 |
| Transmitted to the Senate | 397 |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1048 |
| Signed by the Speaker and transmitted to the Governor | 1087 |

H.B. 220 — OFF-HIGHWAY VEHICLE AMENDMENTS *(B. Goodfellow)*

| | |
|--|-----|
| Read the first time by short title and referred to the Rules Committee | 100 |
| Assigned to standing committee | 180 |
| Substituted | 241 |

1st Sub. H.B. 220 — OFF-HIGHWAY VEHICLE AMENDMENTS *(B. Goodfellow)*

| | |
|---|-----|
| Amendments | 241 |
| Read the second time | 242 |
| Read the third time | 397 |
| Amendments | 397 |
| Transmitted to the Senate | 399 |
| Signed by the Speaker and transmitted to the Governor | 824 |

H.B. 221 — USE OF CREDIT INFORMATION FOR INSURANCE *(P. Wallace)*

| | |
|--|------|
| Read the first time by short title and referred to the Rules Committee | 100 |
| Assigned to standing committee | 207 |
| Referred to Rules Committee | 610 |
| Enacting Clause Stricken | 1177 |

| | |
|--|----------|
| H.B. 222 — ROBBERY AMENDMENTS (<i>C. Frank</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 224 |
| Read the second time | 340 |
| Read the third time | 408, 434 |
| Circled | 408 |
| Placed on calendar | 408 |
| Transmitted to the Senate | 435 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| | |
| H.B. 223 — STATE SCHOOL BOARD CANDIDATE SELECTION COMMITTEES (<i>K. Morgan</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 224 |
| Read the second time | 318 |
| Read the third time | 486 |
| Circled | 486 |
| Uncircled | 497 |
| Amendments | 497 |
| Transmitted to the Senate | 499 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 224 — REPEAL OF PUBLIC EDUCATION AMENDMENTS (<i>J. Buffmire</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 187 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 225 — PROVISION FOR EMERGENCY MEDICAL SERVICES (<i>P. Wallace</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 100 |
| Assigned to standing committee | 199 |
| Read the second time | 474 |
| Read the third time | 641 |
| Transmitted to the Senate | 641 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 226 — LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 101 |
| Assigned to standing committee | 179 |
| Substituted | 353 |
| | |
| 1st Sub. H.B. 226 — LEGISLATIVE APPROVAL FOR CAPITAL PROJECTS (<i>D. Ure</i>) | |
| Read the second time | 353 |
| Read the third time | 510 |
| Amendments | 510 |
| Transmitted to the Senate | 511 |
| Placed on Concurrence Calendar | 901 |
| Concurrence | 1015 |
| Signed by the Speaker and transmitted to the Governor | 1029 |

H.B. 227 — MIDWIFE CERTIFICATION ACT (*J. Biskupski*)

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 199 |
| Amendments | 314 |
| Read the second time | 316 |
| Read the third time | 483 |
| Circled | 483, 496 |
| Uncircled | 496, 543 |
| Amendments | 544 |
| Transmitted to the Senate | 545 |
| Enacting Clause Stricken | 1174 |

H.B. 228 — SALE, EXCHANGE, OR DONATION OF REAL PROPERTY BY STATE AGENCIES (*D. Ure*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 199 |
| Substituted | 387 |

1st Sub. H.B. 228 — SALE, EXCHANGE, OR DONATION OF REAL PROPERTY BY STATE AGENCIES (*D. Ure*)

| | |
|-------------------------------------|------|
| Amendments | 387 |
| Read the second time | 388 |
| Read the third time | 600 |
| Circled | 600 |
| Uncircled | 614 |
| Transmitted to the Senate | 615 |
| Enacting Clause Stricken | 1174 |

H.B. 229 — PUBLIC UTILITY EASEMENTS (*R. C. Webb*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 180 |
| Amendments | 227 |
| Read the second time | 228 |
| Read the third time | 363 |
| Amendments | 363 |
| Circled | 364 |
| Uncircled | 376 |
| Amendments | 376 |
| Transmitted to the Senate | 377 |
| Placed on Concurrence Calendar | 823 |
| Concurrence | 874 |
| Signed by the Speaker and transmitted to the Governor | 904 |

| | |
|---|------|
| H.B. 230 — PROPERTY TAX LEVY FOR EDUCATION (<i>M. Styer</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 120 |
| Assigned to standing committee | 207 |
| Amendments | 356 |
| Read the second time | 356 |
| Read the third time | 516 |
| Circled | 516 |
| Uncircled | 694 |
| Transmitted to the Senate | 695 |
| Recalled | 751 |
| Reconsideration | 796 |
| Substituted | 796 |
| | |
| 2nd Sub. H.B. 230 — PROPERTY TAX LEVY FOR EDUCATION (<i>M. Styer</i>) | |
| Circled | 796 |
| Uncircled | 837 |
| Failed | 838 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 231 — REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 121 |
| Assigned to standing committee | 240 |
| Substituted | 353 |
| | |
| 2nd Sub. H.B. 231 — REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE (<i>C. Bennion</i>) | |
| Read the second time | 353 |
| Read the third time | 511 |
| Substituted | 511 |
| | |
| 3rd Sub. H.B. 231 — REVIEW AND APPROVAL OF FEDERAL MONIES RECEIVED BY THE STATE (<i>C. Bennion</i>) | |
| Transmitted to the Senate | 512 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 232 — WATER WELL AMENDMENTS (<i>D. Peterson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 121 |
| Assigned to standing committee | 180 |
| Read the second time | 211 |
| Read the third time | 346 |
| Substituted | 347 |
| | |
| 1st Sub. H.B. 232 — WATER WELL AMENDMENTS (<i>D. Peterson</i>) | |
| Circled | 347 |
| Uncircled | 394 |
| Transmitted to the Senate | 394 |
| Signed by the Speaker and transmitted to the Governor | 824 |

H.B. 233 — GRAZING PERMIT FEE AMENDMENTS (*E. Anderson*)

- Read the first time by short title and referred to the Rules Committee. 145
- Assigned to standing committee 188
- Read the second time 242
- Read the third time 399
- Transmitted to the Senate 400
- Signed by the Speaker and transmitted to the Governor 653

H.B. 234 — SUNSET EXTENSION ON UNAUTHORIZED PRACTICE OF LAW (*S. Urquhart*)

- Read the first time by short title and referred to the Rules Committee. 145
- Assigned to standing committee 224
- Read the second time 282
- Read the third time 468
- Transmitted to the Senate 469
- Signed by the Speaker and transmitted to the Governor 869

H.B. 235 — TURKEY HUNTING PERMITS (*D. G. Buxton*)

- Read the first time by short title and referred to the Rules Committee. 145
- Assigned to standing committee 224
- Read the second time 281
- Read the third time 449
- Transmitted to the Senate 449
- Signed by the Speaker and transmitted to the Governor 722

H.B. 236 — FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER AMENDMENTS
(*D. Litvack*)

- Read the first time by short title and referred to the Rules Committee. 145
- Assigned to standing committee 224

H.B. 236 — FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER AMENDMENTS
(*D. Litvack*)

- Substituted 429

1st Sub. H.B. 236 — FAMILIES, AGENCIES, AND COMMUNITIES TOGETHER
AMENDMENTS (*D. Litvack*)

- Read the second time 429
- Read the third time 522
- Transmitted to the Senate 523
- Enacting Clause Stricken 1174

H.B. 237 — DEPARTMENT OF CORRECTIONS – THERAPY PROVIDER QUALIFICATIONS
(*D. Bourdeaux*)

- Read the first time by short title and referred to the Rules Committee. 145
- Assigned to standing committee 224
- Read the second time 340
- Read the third time 408
- Transmitted to the Senate 409
- Signed by the Speaker and transmitted to the Governor 869

| | |
|---|------------|
| H.B. 238 — WORKERS' COMPENSATION ACCESS TO MEDICAL RECORDS (<i>J. Alexander</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Assigned to standing committee | 225 |
| Amendments | 354 |
| Read the second time | 355 |
| Read the third time | 514 |
| Transmitted to the Senate | 515 |
| Recalled | 1091 |
| Signed by the Speaker and transmitted to the Governor | 1029, 1122 |
| | |
| H.B. 239 — SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX (<i>D. Bourdeaux</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 225 |
| Amendments | 313 |
| Read the second time | 314 |
| Read the third time | 480 |
| Transmitted to the Senate | 481 |
| Placed on Concurrence Calendar | 1077 |
| Refuse to Concur | 1089 |
| Other Action | 1104 |
| Conference Committee Report | 1129 |
| Substituted | 1129 |
| | |
| 1st Sub. H.B. 239 — SEXUALLY EXPLICIT BUSINESS AND ESCORT SERVICE TAX (<i>D. Bourdeaux</i>) | |
| Signed by the Speaker and transmitted to the Governor | 1164 |
| | |
| H.B. 240 — REVENUE AND TAXATION – OFFENSES AND PENALTIES (<i>R. Bigelow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 240 |
| Read the second time | 314 |
| Read the third time | 482 |
| Transmitted to the Senate | 483 |
| Signed by the Speaker and transmitted to the Governor | 1029 |
| | |
| H.B. 241 — COMMITMENT FOR MENTAL RETARDATION (<i>C. Bird</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 278 |
| Amendments | 535 |
| Read the second time | 536 |
| Read the third time | 631 |
| Transmitted to the Senate | 632 |
| Signed by the Speaker and transmitted to the Governor | 1122 |

| | |
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| H.B. 242 — FUNDS CONSOLIDATION ACT – DEPOSIT AMENDMENTS (<i>D. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 224 |
| Read the second time | 246 |
| Read the third time | 435 |
| Transmitted to the Senate | 436 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| | |
| H.B. 243 — WATER RIGHTS TASK FORCE (<i>M. Styler</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 263 |
| Referred to Rules Committee | 340 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 244 — AMENDMENTS TO ASSET TESTING FOR MEDICAID (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 278 |
| Read the second time | 429 |
| Read the third time | 616 |
| Transmitted to the Senate | 617 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 245 — INSURANCE LAW REVISIONS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 239 |
| Amendments | 319 |
| Read the second time | 320 |
| Read the third time | 488 |
| Amendments | 488 |
| Transmitted to the Senate | 489 |
| | |
| 1st Sub. H.B. 245 — INSURANCE LAW REVISIONS (<i>J. Ferrin</i>) | |
| Placed on Concurrence Calendar | 901 |
| Concurrence | 1001 |
| Signed by the Speaker and transmitted to the Governor | 1015 |
| | |
| H.B. 246 — PROHIBITION OF CROSS BURNING ON PROPERTY (<i>N. Hansen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 240 |
| Read the second time | 340 |
| Time Certain | 344 |
| Read the third time | 446 |
| Amendments | 446 |
| Failed | 447 |
| Enacting Clause Stricken | 1177, 1178 |

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|---|------|
| H.B. 247 — TASK FORCE STUDYING WATER ISSUES (<i>M. Styer</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 263 |
| Amendments | 339 |
| Read the second time | 339 |
| Read the third time | 490 |
| Amendments | 490 |
| Transmitted to the Senate | 491 |
| Signed by the Speaker and transmitted to the Governor | 904 |
| | |
| H.B. 248 — DISCLOSURE OF HIGHER EDUCATION COSTS (<i>R. Bigelow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 278 |
| Amendments | 357 |
| Read the second time | 358 |
| Read the third time | 538 |
| Transmitted to the Senate | 539 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 249 — NURSING CARE FACILITY MEDICAID CERTIFICATION AMENDMENTS (<i>R. Lockhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 184 |
| Assigned to standing committee | 278 |
| Read the second time | 370 |
| Read the third time | 573 |
| Amendments | 573 |
| Transmitted to the Senate | 574 |
| Signed by the Speaker and transmitted to the Governor | 1109 |
| | |
| H.B. 250 — PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS (<i>T. Kiser</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 200 |
| Assigned to standing committee | 239 |
| Amendments | 371 |
| Read the second time | 374 |
| Read the third time | 576 |
| Transmitted to the Senate | 577 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 251 — RADIO FREQUENCY IDENTIFICATION – RIGHT TO KNOW ACT (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 201 |
| Assigned to standing committee | 349 |
| Amendments | 479 |
| Read the second time | 480 |
| Read the third time | 670 |
| Circled | 670 |
| Uncircled | 695 |
| Amendments | 695 |
| Held for possible reconsideration | 697 |
| Transmitted to the Senate | 751 |
| Enacting Clause Stricken | 1174 |

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| H.B. 252 — CALCULATION OF PROPERTY TAX LEVIES (<i>M. Newbold</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 201 |
| Assigned to standing committee | 312 |
| Read the second time | 356 |
| Read the third time | 515 |
| Transmitted to the Senate | 516 |
| Signed by the Speaker and transmitted to the Governor | 1063 |
| | |
| H.B. 253 — RETIREMENT OFFICE AMENDMENTS (<i>A. Hardy</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 225 |
| Amendments | 247 |
| Read the second time | 248 |
| Read the third time | 438 |
| Transmitted to the Senate | 439 |
| Signed by the Speaker and transmitted to the Governor | 824 |
| | |
| H.B. 254 — SOLID WASTE LANDFILL AMENDMENTS (<i>D. G. Buxton</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 312 |
| Substituted | 357 |
| | |
| 1st Sub. H.B. 254 — SOLID WASTE LANDFILL AMENDMENTS (<i>D. G. Buxton</i>) | |
| Amendments | 357 |
| Read the second time | 357 |
| Read the third time | 516 |
| Transmitted to the Senate | 517 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 255 — WILDLIFE RESTITUTION AMENDMENTS (<i>R. Barrus</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 278 |
| Read the second time | 376 |
| Read the third time | 460 |
| Transmitted to the Senate | 461 |
| Placed on Concurrence Calendar | 823 |
| Concurrence | 874 |
| Signed by the Speaker and transmitted to the Governor | 904 |
| | |
| H.B. 256 — EXPANSION OF ECONOMIC DEVELOPMENT WEBPAGE (<i>S. Allen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 313 |
| Amendments | 354 |
| Read the second time | 355 |
| Read the third time | 514 |
| Transmitted to the Senate | 514 |
| Recalled | 1091 |
| Signed by the Speaker and transmitted to the Governor | 1029, 1109 |

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| H.B. 257 — ELECTRO SHOCK THERAPY AMENDMENTS (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 364 |
| Substituted | 825 |
| 1st Sub. H.B. 257 — ELECTRO SHOCK THERAPY AMENDMENTS (<i>K. Bryson</i>) | |
| Returned to Rules Committee | 825 |
| Enacting Clause Stricken | 1177 |
| H.B. 258 — PROHIBITING CELL PHONE USE FOR NEW DRIVERS (<i>C. Moss</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 350 |
| Returned to Rules Committee | 835 |
| Enacting Clause Stricken | 1177 |
| H.B. 259 — SPECIAL NEEDS ADOPTION – PREPLACEMENT EVALUATIONS (<i>A. Hardy</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Substituted | 604 |
| 1st Sub. H.B. 259 — SPECIAL NEEDS ADOPTION – PREPLACEMENT EVALUATIONS (<i>A. Hardy</i>) | |
| Assigned to standing committee | 604 |
| Read the second time | 818, 851 |
| Returned to Rules Committee | 818 |
| Read the third time | 862 |
| Amendments | 862 |
| Transmitted to the Senate | 863 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| H.B. 260 — TOBACCO FUND ALLOCATION AMENDMENTS (<i>J. Seitz</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 567 |
| Read the second time | 659 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 713 |
| Circled | 713 |
| Uncircled | 715 |
| Transmitted to the Senate | 716 |
| Signed by the Speaker and transmitted to the Governor | 904 |
| H.B. 261 — GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE (<i>T. McCartney</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 520 |
| Substituted | 522 |

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|---|------|
| 1st Sub. H.B. 261 — GIFT CERTIFICATES – ELIMINATING EXPIRATION DATE (<i>T. McCartney</i>) | |
| Read the second time | 522 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 838 |
| Circled | 838 |
| Uncircled | 849 |
| Amendments | 849 |
| Transmitted to the Senate | 851 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 262 — PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT (<i>J. Alexander</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 338 |
| Substituted | 532 |
| | |
| 1st Sub. H.B. 262 — PENALTIES FOR PROVIDING FALSE OR MISLEADING INFORMATION IN COURT (<i>J. Alexander</i>) | |
| Amendments | 532 |
| Read the second time | 533 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 705 |
| Read the third time | 709 |
| Amendments | 709 |
| Transmitted to the Senate | 710 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 263 — STATE RETIREMENT SYSTEM AMENDMENTS (<i>B. King</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 338 |
| Read the second time | 538 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 712 |
| Transmitted to the Senate | 713 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 264 — IMPROVING MENTAL HEALTH SERVICES TO THE DEAF AND HARD-OF-HEARING TASK FORCE (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 337 |
| Read the second time | 729 |
| Returned to Rules Committee | 729 |
| Enacting Clause Stricken | 1177 |

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| H.B. 265 — DESIGNATION OF COMMEMORATIVE DAYS (<i>D. Bush</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 337 |
| Amendments | 388 |
| Read the second time | 388 |
| Read the third time | 600 |
| Transmitted to the Senate | 601 |
| Signed by the Speaker and transmitted to the Governor | 1158 |
| | |
| H.B. 266 — REVISIONS TO CHILD WELFARE (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 492 |
| Substituted | 648 |
| | |
| 1st Sub. H.B. 266 — REVISIONS TO CHILD WELFARE (<i>W. Harper</i>) | |
| Amendments | 648 |
| Read the second time | 650 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 738 |
| Circled | 738, 746 |
| Uncircled | 740, 839 |
| Amendments | 740, 839 |
| Transmitted to the Senate | 848 |
| | |
| 4th Sub. H.B. 266 — REVISIONS TO CHILD WELFARE (<i>W. Harper</i>) | |
| Failed | 1172 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 267 — UTAH PHARMACEUTICAL INSURANCE PROGRAM (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 251 |
| Assigned to standing committee | 452 |
| Read the second time | 729 |
| Returned to Rules Committee | 729 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 268 — CHILD WELFARE PROCESSES (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 604 |
| Substituted | 728 |

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|--|------|
| 1st Sub. H.B. 268 — CHILD WELFARE PROCESSES (<i>M. Thompson</i>) | |
| Amendments | 728 |
| Read the second time | 729 |
| Returned to Rules Committee | 729 |
| Placed on calendar | 754 |
| Read the third time | 859 |
| Circled | 859 |
| Uncircled | 860 |
| Amendments | 860 |
| Transmitted to the Senate | 862 |
| | |
| 4th Sub. H.B. 268 — CHILD WELFARE PROCESSES (<i>M. Thompson</i>) | |
| Placed on Concurrence Calendar | 1157 |
| Concurrence | 1159 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 269 — CHANGING STATUTORY PRESUMPTION (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 270 — RESIDENCE REQUIREMENTS FOR DRIVER LICENSE (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 493 |
| Amendments | 655 |
| Read the second time | 657 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 738 |
| Transmitted to the Senate | 739 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 271 — TUITION TAX CREDITS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 453 |
| Substituted (recommended) | 649 |
| Substituted | 829 |
| | |
| 1st Sub. H.B. 271 — TUITION TAX CREDITS (<i>J. Ferrin</i>) | |
| Amendments (recommended) | 649 |
| Failed to adopt committee report | 649 |
| Other Action | 650 |
| Amendments | 829 |
| Returned to Rules Committee | 830 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 272 — HEALTH INSURANCE ACT – RATE LIMITATIONS (<i>J. Dunnigan</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Enacting Clause Stricken | 1177 |

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|---|----------|
| H.B. 273 — TAX AND CHARGE AMENDMENTS (<i>W. Harper</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 423 |
| Amendments | 504 |
| Read the second time | 505 |
| Read the third time | 677 |
| Amendments | 677, 692 |
| Circled | 682, 720 |
| Uncircled | 692, 771 |
| Failed | 694 |
| Reconsideration | 720 |
| Amendments | 772 |
| Transmitted to the Senate | 773 |
| Placed on Concurrence Calendar | 1001 |
| Refuse to Concur | 1041 |
| Other Action | 1085 |
| Conference committee appointed | 1085 |
| Amendments | 1130 |
| Conference Committee Report | 1130 |
| Signed by the Speaker and transmitted to the Governor | 1164 |
| | |
| H.B. 274 — MUNICIPAL WEED ABATEMENT (<i>M. Morley</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 452 |
| Read the second time | 561 |
| Read the third time | 669 |
| Transmitted to the Senate | 670 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 275 — ADOPTION AMENDMENTS (<i>A. Hardy</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 492 |
| Read the second time | 536 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 746 |
| Substituted | 746 |
| | |
| 1st Sub. H.B. 275 — ADOPTION AMENDMENTS (<i>A. Hardy</i>) | |
| Amendments | 746 |
| Transmitted to the Senate | 750 |
| Signed by the Speaker and transmitted to the Governor | 1109 |
| | |
| H.B. 276 — ADOPTION LAW REVISIONS (<i>R. McGee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 645 |
| Substituted | 817 |

| | |
|--|----------|
| 1st Sub. H.B. 276 — ADOPTION LAW REVISIONS (<i>R. McGee</i>) | |
| Read the second time | 818, 851 |
| Returned to Rules Committee | 818 |
| Read the third time | 863 |
| Circled | 863 |
| Uncircled | 967 |
| Substituted | 967 |
| | |
| 2nd Sub. H.B. 276 — ADOPTION LAW REVISIONS (<i>R. McGee</i>) | |
| Amendments | 967 |
| Transmitted to the Senate | 968 |
| Signed by the Speaker and transmitted to the Governor | 1158 |
| | |
| H.B. 277 — INSURANCE AMENDMENTS – LICENSING FOR SALES OF ANNUITIES (<i>M. Newbold</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 492 |
| Returned to Rules Committee | 827 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 278 — OVERSIGHT OF MORTGAGE REGULATION (<i>J. Philpot</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 279 — COUNTERFEIT TOBACCO PRODUCTS (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 645 |
| Amendments | 736 |
| Read the second time | 738 |
| Returned to Rules Committee | 738 |
| Placed on calendar | 753 |
| Read the third time | 788 |
| Circled | 788 |
| Uncircled | 790 |
| Amendments | 790 |
| Transmitted to the Senate | 792 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 280 — RESPECT CHOICE – SPECIAL GROUP LICENSE PLATES (<i>R. McGee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 350 |
| Returned to Rules Committee | 518 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 281 — TOXIC MOLD DISCLOSURE (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Assigned to standing committee | 704 |
| Substituted | 780 |

| | |
|--|----------|
| 1st Sub. H.B. 281 — TOXIC MOLD DISCLOSURE (<i>D. Hogue</i>) | |
| Amendments | 780 |
| Read the second time | 782, 851 |
| Returned to Rules Committee | 782 |
| Read the third time | 969 |
| Failed | 969 |
| Enacting Clause Stricken | 1177 |
| H.B. 282 — UTILITY REGULATION (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 252 |
| Enacting Clause Stricken | 1177 |
| H.B. 283 — DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 452 |
| Substituted | 537 |
| 1st Sub. H.B. 283 — DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS (<i>D. Ure</i>) | |
| Amendments | 537 |
| Read the second time | 538 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 784 |
| Transmitted to the Senate | 785 |
| Signed by the Speaker and transmitted to the Governor | 904 |
| H.B. 284 — SPECIAL GROUP LICENSE PLATE FOR CHILDREN AT RISK (<i>L. Christensen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 453 |
| Returned to Rules Committee | 518 |
| Enacting Clause Stricken | 1177 |
| H.B. 285 — LIMITS ON CHALLENGES TO MODERATE INCOME HOUSING PLANS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Enacting Clause Stricken | 1177 |
| H.B. 286 — STATE RAILROAD MUSEUM LICENSE PLATES (<i>J. Murray</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 423 |
| Returned to Rules Committee | 518 |
| Enacting Clause Stricken | 1177 |

H.B. 287 — GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS*(D. Aagard)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 567 |
| Amendments | 726 |
| Returned to Rules Committee | 727 |
| Enacting Clause Stricken | 1177 |

H.B. 288 — PROCESS FOR SUBMITTING OPINION QUESTION TO BALLOT *(R. Becker)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 492 |
| Read the second time | 661 |
| Returned to Rules Committee | 705 |
| Returned to Rules Committee | 999 |
| Placed on calendar | 870 |
| Enacting Clause Stricken | 1177 |

H.B. 289 — ALCOHOLIC BEVERAGE AMENDMENTS RELATED TO MINORS *(L. Pace)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 385 |
| Read the second time | 509 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 783 |
| Transmitted to the Senate | 784 |
| Signed by the Speaker and transmitted to the Governor | 1154 |

H.B. 290 — STATE EMPLOYEE COMPENSATION STUDY TASK FORCE *(M. Newbold)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 492 |
| Read the second time | 506 |
| Read the third time | 698 |
| Transmitted to the Senate | 699 |
| Enacting Clause Stricken | 1174 |

H.B. 291 — SAFE DRINKING WATER ACT AMENDMENTS *(G. Donnelson)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 519 |
| Amendments | 825 |
| Returned to Rules Committee | 826 |
| Enacting Clause Stricken | 1177 |

| | |
|---|------|
| H.B. 292 — VEHICLE FRANCHISE AMENDMENTS (<i>G. Curtis</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 384 |
| Amendments | 534 |
| Read the second time | 535 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 782 |
| Transmitted to the Senate | 783 |
| Signed by the Speaker and transmitted to the Governor | 1125 |
| | |
| H.B. 293 — REPEAL OF NATIONAL GUARD EFFICIENCY BOARDS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 452 |
| Read the second time | 506 |
| Read the third time | 585 |
| Transmitted to the Senate | 586 |
| Signed by the Speaker and transmitted to the Governor | 1029 |
| | |
| H.B. 294 — PURCHASE OF FIREARMS AMENDMENTS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 452 |
| Read the second time | 503 |
| Read the third time | 671 |
| Transmitted to the Senate | 672 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 295 — ISSUANCE OF CONCEALED FIREARM PERMITS AMENDMENTS (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Assigned to standing committee | 452 |
| Read the second time | 503 |
| Read the third time | 672 |
| Amendments | 672 |
| Transmitted to the Senate | 673 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 296 — WORKERS' COMPENSATION FUND TASK FORCE (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 297 — USE OF LOCAL EDUCATION PROPERTY TAX REVENUES (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 253 |
| Enacting Clause Stricken | 1177 |

| | |
|--|----------|
| H.B. 298 — RESIDENCE LIEN RECOVERY FUND AMENDMENTS (<i>S. Clark</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 453 |
| Amendments | 820 |
| Read the second time | 821, 851 |
| Returned to Rules Committee | 821 |
| Read the third time | 969 |
| Transmitted to the Senate | 970 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 299 — TEACHER ACCRUAL OF CONTINUING EDUCATION REQUIREMENTS (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 667 |
| Amendments | 832 |
| | |
| 1st Sub. H.B. 299 — TEACHER ACCRUAL OF CONTINUING EDUCATION REQUIREMENTS (<i>E. Hutchings</i>) | |
| Substituted | 832 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 300 — VICTIM REPARATIONS AMENDMENTS (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 519 |
| Returned to Rules Committee | 833 |
| Enacting Clause Stricken | 1177 |
| | |
| H.B. 301 — VOTER REGISTRATION AMENDMENTS (<i>M. Thompson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 645 |
| Read the second time | 726, 851 |
| Returned to Rules Committee | 726 |
| Read the third time | 971 |
| Amendments | 971 |
| Transmitted to the Senate | 972 |
| Signed by the Speaker and transmitted to the Governor | 1158 |

| | |
|---|----------|
| H.B. 302 — GOVERNMENT OPERATIONS AMENDMENTS (<i>M. Styer</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| H.B. 302 — VOLUNTARY CONTRIBUTION ACT AMENDMENTS (<i>M. Styer</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 629 |
| Assigned to standing committee | 646 |
| Amendments | 723 |
| Read the second time | 723 |
| Returned to Rules Committee | 723 |
| Placed on calendar | 753 |
| Read the third time | 785 |
| Amendments | 785 |
| Transmitted to the Senate | 786 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| H.B. 303 — CHILD WELFARE REVISIONS (<i>S. Mascaro</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 567 |
| Amendments | 816 |
| Read the second time | 818, 851 |
| Returned to Rules Committee | 818 |
| Read the third time | 970 |
| Transmitted to the Senate | 971 |
| Signed by the Speaker and transmitted to the Governor | 1125 |
| H.B. 304 — PROCUREMENT CODE AMENDMENTS – RECYCLING (<i>B. Ferry</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Enacting Clause Stricken | 1177 |
| H.B. 305 — STATE GOVERNMENT REVISIONS (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Enacting Clause Stricken | 1177 |
| H.B. 306 — PROPERTY TAX RELIEF (<i>L. Christensen</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 452 |
| Read the second time | 505 |
| Read the third time | 682 |
| Circled | 682 |
| Uncircled | 690 |
| Transmitted to the Senate | 691 |
| Enacting Clause Stricken | 1174 |
| H.B. 307 — OVERSIGHT OF HIGH SCHOOL ACTIVITIES ASSOCIATION (<i>D. Bourdeaux</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 704 |
| Amendments | 831 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1178 |

| | |
|---|----------|
| H.B. 308 — VEHICLE RESTRAINT SYSTEM AMENDMENTS (<i>C. Frank</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 520 |
| Read the second time | 657 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 796 |
| Transmitted to the Senate | 797 |
| Signed by the Speaker and transmitted to the Governor | 1158 |
| | |
| H.B. 309 — PROCESS FOR NONBINDING OPINION QUESTION TO BE REFERRED TO VOTERS (<i>S. Mascaro</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 310 — CHILD SUPPORT AMENDMENTS (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 666 |
| Read the second time | 821, 851 |
| Returned to Rules Committee | 821 |
| Read the third time | 863 |
| Transmitted to the Senate | 864 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 311 — REDEVELOPMENT AGENCY AMENDMENTS (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 254 |
| Assigned to standing committee | 567 |
| Substituted | 660 |
| | |
| 1st Sub. H.B. 311 — REDEVELOPMENT AGENCY AMENDMENTS (<i>J. S. Adams</i>) | |
| Amendments | 660 |
| Read the second time | 661 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 870 |
| Read the third time | 994 |
| Amendments | 995 |
| Transmitted to the Senate | 997 |
| Other Action | 1172 |
| Placed on Concurrence Calendar | 1154 |
| Refuse to Concur | 1155 |
| Refuse to Recede | 1172 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 312 — NONPARTICIPATING TOBACCO MANUFACTURER'S FEE (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 493 |
| Substituted | 560 |

| | |
|--|----------|
| 1st Sub. H.B. 312 — NONPARTICIPATING TOBACCO MANUFACTURER'S FEE (<i>D. Ure</i>) | |
| Read the second time | 560 |
| Read the third time | 670 |
| Placed on third readingcalendar | 670 |
| Circled | 670 |
| Uncircled | 673 |
| Transmitted to the Senate | 674 |
| Placed on Concurrence Calendar | 1062 |
| Concurrence | 1110 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| | |
| H.B. 313 — REDEVELOPMENT AGENCY REVISIONS (<i>J. Gowans</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 645 |
| Returned to Rules Committee | 833 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 314 — CONSUMER PROTECTION REVISIONS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 492 |
| Read the second time | 522 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 751 |
| Circled | 751 |
| Uncircled | 787 |
| Transmitted to the Senate | 788 |
| | |
| 1st Sub. H.B. 314 — CONSUMER PROTECTION REVISIONS (<i>J. Dougall</i>) | |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 315 — LOCAL OPTION SALES AND USE TAX AMENDMENTS (<i>J. Dougall</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 753 |
| Read the second time | 778 |
| Returned to Rules Committee | 778, 999 |
| Placed on calendar | 870 |
| Read the third time | 976 |
| Amendments | 976 |
| Circled | 993 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 316 — RECALL ELECTION PROCESS (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 317 — STUDY ON IMMIGRATION ISSUES AND CONSIDERATIONS (<i>D. Litvack</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Enacting Clause Stricken | 1178 |

H.B. 318 — UNIFORM STATEWIDE FEES FOR CERTAIN TANGIBLE PERSONAL PROPERTY
(*C. Bennion*)

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 704 |
| Read the second time | 820, 851 |
| Returned to Rules Committee | 820 |
| Read the third time | 972 |
| Failed | 973 |
| Enacting Clause Stricken | 1178 |

H.B. 319 — UTAH COLLEGE OF APPLIED TECHNOLOGY LEASE APPROVAL
REQUIREMENTS (*L. Pace*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Enacting Clause Stricken | 1178 |

H.B. 320 — TRANSFERABILITY OF CREDITS AMONG HIGHER EDUCATION
INSTITUTIONS (*B. Johnson*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 364 |
| Amendments | 426 |
| Read the second time | 427 |
| Read the third time | 613 |
| Transmitted to the Senate | 613 |
| Signed by the Speaker and transmitted to the Governor | 1109 |

H.B. 321 — MOTOR VEHICLE REGISTRATION REVISIONS (*C. Bennion*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 667 |
| Amendments | 724 |

1st Sub. H.B. 321 — MOTOR VEHICLE REGISTRATION REVISIONS (*C. Bennion*)

| | |
|---------------------------------------|----------|
| Amendments | 724 |
| Read the second time | 724, 851 |
| Returned to Rules Committee | 724 |
| Read the third time | 893 |
| Amendments | 893 |
| Failed | 894 |
| Enacting Clause Stricken | 1178 |

H.B. 322 — GOLF CARTS ALLOWED ON CERTAIN HIGHWAYS (*C. Moss*)

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 567 |
| Amendments | 654 |
| Read the second time | 657, 852 |
| Returned to Rules Committee | 705 |
| Read the third time | 975 |
| Amendments | 975 |
| Transmitted to the Senate | 976 |
| Enacting Clause Stricken | 1174 |

| | |
|---|------|
| H.B. 323 — SPYWARE REGULATION (<i>S. Urquhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 452 |
| Substituted | 474 |
| 2nd Sub. H.B. 323 — SPYWARE REGULATION (<i>S. Urquhart</i>) | |
| Read the second time | 476 |
| Read the third time | 641 |
| Substituted | 641 |
| 3rd Sub. H.B. 323 — SPYWARE REGULATION (<i>S. Urquhart</i>) | |
| Circled | 642 |
| Uncircled | 643 |
| Amendments | 644 |
| Transmitted to the Senate | 645 |
| 4th Sub. H.B. 323 — SPYWARE REGULATION (<i>S. Urquhart</i>) | |
| Placed on Concurrence Calendar | 1091 |
| Concurrence | 1111 |
| Intent Language | 1112 |
| Signed by the Speaker and transmitted to the Governor | 1154 |
| H.B. 324 — SAFE DRINKING WATER ACT AMENDMENT (<i>B. Last</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 493 |
| Read the second time | 538 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 751 |
| Circled | 751 |
| Uncircled | 872 |
| Transmitted to the Senate | 873 |
| Enacting Clause Stricken | 1174 |
| H.B. 325 — MOTOR VEHICLE INSURANCE AMENDMENT (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 255 |
| Assigned to standing committee | 492 |
| Read the second time | 522 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 770 |
| Amendments | 770 |
| Transmitted to the Senate | 771 |
| Signed by the Speaker and transmitted to the Governor | 1125 |
| H.B. 326 — DRIVING UNDER THE INFLUENCE PENALTIES (<i>D. Love</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |

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| H.B. 327 — IMPOUNDED VEHICLES AMENDMENTS (<i>E. Hutchings</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 605 |
| Read the second time | 685, 851 |
| Returned to Rules Committee | 705 |
| Read the third time | 968 |
| Transmitted to the Senate | 968 |
| Enacting Clause Stricken | 1174 |
| | |
| H.B. 328 — REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS (<i>L. Pace</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256, 767 |
| Read the second time | 790 |
| Read the third time | 790 |
| Circled | 790 |
| Uncircled | 800 |
| Amendments | 801 |
| Transmitted to the Senate | 803 |
| Refuse to Concur | 872 |
| Signed by the Speaker and transmitted to the Governor | 904 |
| | |
| H.B. 329 — INCOME TAX CREDIT FOR DONATIONS TO SCHOOL DISTRICT FOUNDATIONS (<i>D. Bush</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 330 — GENERAL GOVERNMENT AMENDMENTS (<i>D. Peterson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| | |
| H.B. 330 — ALLOCATION OF TOBACCO FUND AMENDMENTS (<i>D. Peterson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 997 |
| Read the second time | 997 |
| Amendments | 997 |
| Transmitted to the Senate | 998 |
| Placed on Concurrence Calendar | 1108 |
| | |
| 1st Sub. H.B. 330 — ALLOCATION OF TOBACCO FUND AMENDMENTS (<i>D. Peterson</i>) | |
| Concurrence | 1165 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 331 — CHOICE IN HEALTH CARE (<i>K. Bryson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 493 |
| Returned to Rules Committee | 836 |
| Enacting Clause Stricken | 1178 |

| | |
|--|------|
| H.B. 332 — VETERANS SPECIAL GROUP LICENSE PLATE AMENDMENTS (<i>S. Mascaro</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 453 |
| Read the second time | 535 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 838 |
| Transmitted to the Senate | 839 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| | |
| H.B. 333 — SIGNAGE ON HIGHWAYS (<i>C. Butters</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 334 — SYSTEM OF CARE PILOT PROJECT (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 335 — PENALTY FOR USING FAKE IDENTIFICATION (<i>B. Goodfellow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 646 |
| Read the second time | 778 |
| Read the third time | 905 |
| Transmitted to the Senate | 906 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 336 — CLAIMS ON REAL PROPERTY (<i>G. Hughes</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 492 |
| Amendments | 648 |
| Read the second time | 650 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 769 |
| Transmitted to the Senate | 770 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 337 — PUBLIC SERVICE COMMISSION – CONSIDERATION OF WIRELESS PROVIDERS (<i>S. Urquhart</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |
| | |
| H.B. 338 — BOTTLE BILL AMENDMENTS (<i>T. McCartney</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Assigned to standing committee | 753 |
| Returned to Rules Committee | 820 |
| Enacting Clause Stricken | 1178 |

| | |
|---|------|
| H.B. 339 — MOTOR VEHICLE TITLE REQUIREMENTS (<i>T. Kiser</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 256 |
| Enacting Clause Stricken | 1178 |
| H.B. 340 — CLARIFICATION OF USE OF ACUPUNCTURE (<i>D. Ure</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Enacting Clause Stricken | 1178 |
| H.B. 341 — CHILDREN'S INTERNET PROTECTION ACT (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Assigned to standing committee | 452 |
| Read the second time | 522 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 739 |
| Amendments | 739 |
| Transmitted to the Senate | 740 |
| Signed by the Speaker and transmitted to the Governor | 1094 |
| H.B. 342 — GUN SHOW BACKGROUND CHECK (<i>S. Daniels</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Enacting Clause Stricken | 1178 |
| H.B. 343 — PRACTICE PERMIT REQUIREMENT AMENDMENTS (<i>R. Barrus</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Assigned to standing committee | 520 |
| Amendments | 655 |
| Read the second time | 657 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 706 |
| Read the third time | 751 |
| Amendments | 751 |
| Transmitted to the Senate | 752 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| H.B. 344 — GENERAL GOVERNMENT CHANGES (<i>B. King</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Enacting Clause Stricken | 1178 |
| H.B. 345 — EARNED INCOME TAX CREDIT (<i>J. Biskupski</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 257 |
| Assigned to standing committee | 567 |
| Amendments | 657 |
| Read the second time | 659 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 797 |
| Transmitted to the Senate | 797 |
| Enacting Clause Stricken | 1174 |

H.B. 346 — INDIVIDUAL INCOME TAX CONTRIBUTIONS AMENDMENTS (*S. Mascaro*)
 Read the first time by short title and referred to the Rules Committee. 257
 Enacting Clause Stricken 1178

H.B. 347 — STATE HIGHWAY DESIGNATION CHANGES (*M. Styler*)
 Read the first time by short title and referred to the Rules Committee. 257
 Assigned to standing committee 520
 Read the second time 657
 Read the third time 756
 Transmitted to the Senate 757
 Signed by the Speaker and transmitted to the Governor 1122

H.B. 348 — CITIZEN PRIVACY AMENDMENTS (*M. Thompson*)
 Read the first time by short title and referred to the Rules Committee. 257, 509
 Substituted 752

1st Sub. H.B. 348 — PRIVACY AMENDMENTS (*M. Thompson*)
 Assigned to standing committee 752
 Read the second time 820, 852
 Returned to Rules Committee 820
 Read the third time 973
 Transmitted to the Senate 974
 Enacting Clause Stricken 1174

H.B. 349 — DEPARTMENT OF AGRICULTURE AND FOOD AUDIT REQUIREMENTS
 (*C. Buttars*)
 Read the first time by short title and referred to the Rules Committee. 257
 Assigned to standing committee 423
 Amendments 537
 Read the second time 538
 Read the third time 634
 Transmitted to the Senate 635
 Signed by the Speaker and transmitted to the Governor 1122

H.B. 350 — MEDICAL SOFTWARE AND PLANNING (*D. Ure*)
 Read the first time by short title and referred to the Rules Committee. 257

H.B. 350 — CONSUMER ACCESS TO PRESCRIPTION DRUG PRICING DATA (*D. Ure*)
 Read the first time by short title and referred to the Rules Committee. 434
 Assigned to standing committee 519
 Returned to Rules Committee 825
 Enacting Clause Stricken 1178

H.B. 351 — UNINSURED AND UNDERINSURED LEGISLATIVE TASK FORCE STUDY
(S. Mascaro)
 Read the first time by short title and referred to the Rules Committee. 257

H.B. 351 — GAPS ANALYSIS OF CURRENT APPROACHES TO COVERING THE
 UNINSURED AND UNDERINSURED TASK FORCE *(S. Mascaro)*
 Read the first time by short title and referred to the Rules Committee. 408
 Assigned to standing committee 453
 Substituted 608

1st Sub. H.B. 351 — TASK FORCE STUDYING PRIVATE SECTOR APPROACHES TO
 COVERING THE UNINSURED *(S. Mascaro)*
 Read the second time 608
 Returned to Rules Committee 705
 Enacting Clause Stricken 1178

H.B. 352 — INHERITANCE TAX ACT AMENDMENTS *(B. Goodfellow)*
 Read the first time by short title and referred to the Rules Committee. 257
 Assigned to standing committee 493
 Amendments 835
 Returned to Rules Committee 836
 Enacting Clause Stricken 1178

H.B. 353 — PUBLIC TRANSPORTATION DISTRICT BOARD AMENDMENTS *(G. Curtis)*
 Read the first time by short title and referred to the Rules Committee. 257
 Enacting Clause Stricken 1178

H.B. 354 — SALVAGE VEHICLE AMENDMENTS *(G. Curtis)*
 Read the first time by short title and referred to the Rules Committee. 257
 Assigned to standing committee 453
 Returned to Rules Committee 835
 Enacting Clause Stricken 1178

H.B. 355 — CHILD SUPPORT COLLECTIONS *(J. Philpot)*
 Read the first time by short title and referred to the Rules Committee. 258
 Enacting Clause Stricken 1178

H.B. 356 — HALT UTAH’S PARTICIPATION IN MATRIX *(J. Philpot)*
 Read the first time by short title and referred to the Rules Committee. 258
 Enacting Clause Stricken 1178

| | |
|---|----------|
| H.B. 357 — CONTINUING EDUCATION FOR REAL ESTATE PROFESSIONALS (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 422 |
| Read the second time | 610 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 792 |
| Transmitted to the Senate | 793 |
| Amendments | 1155 |
| Placed on Concurrence Calendar | 1157 |
| Concurrence | 1159 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.B. 358 — AMENDMENTS TO GENERAL GOVERNMENT (<i>B. Dee</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| | |
| H.B. 358 — AMENDMENTS TO ACCESS TO HEALTH CARE PROVIDERS (<i>B. Dee</i>) | |
| Read the first time by short title and referred to Rules Committee | 612, 729 |
| Assigned to standing committee | 645 |
| Read the second time | 729 |
| Placed on calendar | 754 |
| Returned to Rules Committee | 729 |
| Read the third time | 859 |
| Transmitted to the Senate | 860 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.B. 359 — USE OF MINERAL LEASE MONIES BY UTAH STATE FAIR (<i>C. Buttars</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Enacting Clause Stricken | 1179 |
| | |
| H.B. 360 — PROPERTY TAX EXEMPTION (<i>J. Ferrin</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Enacting Clause Stricken | 1179 |
| | |
| H.B. 361 — ADOPTION AGENCY FEES TASK FORCE (<i>S. Daniels</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 519 |
| Read the second time | 818 |
| Returned to Rules Committee | 818 |
| Enacting Clause Stricken | 1179 |
| | |
| H.B. 362 — LOCAL HUMAN SERVICES ACT (<i>J. Seitz</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Enacting Clause Stricken | 1179 |

H.B. 363 — GOVERNMENT EFFICIENCY AND EFFECTIVENESS REVIEW TASK FORCE*(P. Wallace)*

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 258, 509 |
| Assigned to standing committee | 604 |
| Amendments | 726 |
| Read the second time | 726 |
| Returned to Rules Committee | 726 |
| Enacting Clause Stricken | 1179 |

H.B. 364 — PROFITS FROM SALE OF CRIME MEMORABILIA (*S. Daniels*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 519 |
| Read the second time | 647 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 794 |
| Transmitted to the Senate | 795 |
| Signed by the Speaker and transmitted to the Governor | 1158 |

H.B. 365 — DISCLOSURE OF STATE EMPLOYEES' COMPENSATION AND BENEFITS (*R.**Bigelow*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 645 |
| Read the second time | 740 |
| Returned to Rules Committee | 740 |
| Placed on calendar | 754 |
| Read the third time | 860 |
| Circled | 860 |
| Uncircled | 966 |
| Transmitted to the Senate | 967 |
| Signed by the Speaker and transmitted to the Governor | 1122 |

H.B. 366 — REPEAL OF EXEMPTION FROM NONRESIDENT TUITION (*G. Donnelson*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 519 |
| Returned to Rules Committee | 832 |
| Enacting Clause Stricken | 1179 |

H.B. 367 — PARTICIPATION ALLOWED IN STATE EMPLOYEE INSURANCE SYSTEM*(D. Clark)*

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 258 |
| Assigned to standing committee | 667 |
| Read the second time | 740 |
| Returned to Rules Committee | 740, 999 |
| Placed on calendar | 870 |
| Read the third time | 994 |
| Circled | 994 |
| Enacting Clause Stricken | 1179 |

H.B. 368 — TASK FORCE ON LEGISLATIVE REFORM (*J. Philpot*)

- Read the first time by short title and referred to the Rules Committee. 258
- Enacting Clause Stricken 1179

H.B. 369 — UTAH RETIREMENT FUND INVESTMENTS (*P. Wallace*)

- Read the first time by short title and referred to the Rules Committee. 258
- Enacting Clause Stricken 1179

H.B. 370 — TOURISM TAX ADVISORY BOARD (*T. Kiser*)

- Read the first time by short title and referred to the Rules Committee. 509
- Assigned to standing committee 605
- Read the second time 724
- Read the third time 853
- Transmitted to the Senate 854
- Signed by the Speaker and transmitted to the Governor 1158

| | |
|--|------|
| H.C.R. 1 — RESOLUTION URGING OPEN SPACE ALONG JORDAN RIVER TRAIL (<i>T. Kiser</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 225 |
| Amendments | 375 |
| Read the second time | 376 |
| Read the third time | 459 |
| Transmitted to the Senate | 460 |
| Placed on Concurrence Calendar | 1027 |
| Concurrence | 1049 |
| Signed by the Speaker and transmitted to the Governor | 1087 |
| | |
| H.C.R. 2 — INDIVIDUALS WITH DISABILITIES ACT RESOLUTION (<i>K. Holdaway</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 84 |
| Assigned to standing committee | 135 |
| Amendments | 189 |
| Read the second time | 190 |
| Read the third time | 284 |
| Transmitted to the Senate | 285 |
| Signed by the Speaker and transmitted to the Governor | 777 |
| | |
| H.C.R. 3 — RESOLUTION URGING PROTECTION OF UNITED STATES FROM WEAPONS OF MASS DESTRUCTION (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 101 |
| Assigned to standing committee | 136 |
| Read the second time | 245 |
| Read the third time | 435 |
| Circled | 435 |
| Uncircled | 466 |
| Transmitted to the Senate | 467 |
| Signed by the Speaker and transmitted to the Governor | 929 |
| | |
| H.C.R. 4 — RESOLUTION ENCOURAGING LIFETIME AND RETIREMENT SAVINGS ACCOUNTS (<i>C. Bennion</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 101 |
| Assigned to standing committee | 136 |
| Read the second time | 248 |
| Read the third time | 440 |
| Transmitted to the Senate | 441 |
| Signed by the Speaker and transmitted to the Governor | 824 |

H.C.R. 5 — RESOLUTION URGING FEDERAL TAX CUTS TO BE MADE PERMANENT*(C. Bennion)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 101 |
| Assigned to standing committee | 135 |
| Read the second time | 192 |
| Read the third time | 290 |
| Circled | 290 |
| Uncircled | 292 |
| Amendments | 292 |
| Transmitted to the Senate | 294 |
| Signed by the Speaker and transmitted to the Governor | 1172 |

H.C.R. 6 — RESOLUTION OPPOSING INTERNET ACCESS TAXES *(C. Bennion)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 145 |
| Substituted | 158 |

1st Sub. H.C.R. 6 — RESOLUTION OPPOSING INTERNET ACCESS TAXES *(C. Bennion)*

| | |
|---|------|
| Assigned to standing committee | 158 |
| Amendments | 211 |
| Read the second time | 212 |
| Read the third time | 361 |
| Circled | 361 |
| Uncircled | 381 |
| Transmitted to the Senate | 382 |
| Signed by the Speaker and transmitted to the Governor | 1172 |

H.C.R. 7 — RESOLUTION RECOGNIZING LEGISLATORS BACK TO SCHOOL WEEK*(K. Holdaway)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 146 |
| Assigned to standing committee | 157 |
| Read the second time | 190 |
| Read the third time | 283 |
| Transmitted to the Senate | 284 |
| Signed by the Speaker and transmitted to the Governor | 653 |

H.C.R. 8 — RESOLUTION PROMOTING READING READINESS BY ENCOURAGING UTAH CITIZENS TO READ WITH A CHILD 20 MINUTES A DAY *(K. Morgan)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Read the second time | 852 |
| Read the third time | 974 |
| Transmitted to the Senate | 974 |
| Enacting Clause Stricken | 1174 |

| | |
|---|------|
| H.C.R. 9 — NO CHILD LEFT BEHIND RESOLUTION (<i>K. Holdaway</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 519 |
| Amendments | 818 |
| Read the second time | 819 |
| Returned to Rules Committee | 819 |
| Enacting Clause Stricken | 1179 |
| | |
| H.C.R. 10 — RESOLUTION RECOGNIZING NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL MEETING IN SALT LAKE CITY (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 629 |
| Assigned to standing committee | 519 |
| Amendments | 647 |
| Read the second time | 647 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 787 |
| Circled | 787 |
| Uncircled | 793 |
| Transmitted to the Senate | 794 |
| Signed by the Speaker and transmitted to the Governor | 1172 |
| | |
| H.C.R. 11 — RESOLUTION ON HIGHER EDUCATION REMEDIAL CLASSES (<i>M. Dillree</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 519 |
| Read the second time | 612 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 855 |
| Amendments | 855 |
| Transmitted to the Senate | 856 |
| Signed by the Speaker and transmitted to the Governor | 1109 |
| | |
| H.C.R. 12 — EDUCATION RESOLUTION (<i>M. Dayton</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| | |
| H.C.R. 13 — WESTERN LEGENDS ROUNDUP RESOLUTION (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 452 |
| Amendments | 536 |
| Read the second time | 538 |
| Read the third time | 633 |
| Transmitted to the Senate | 634 |
| Signed by the Speaker and transmitted to the Governor | 777 |

| | |
|---|------|
| H.C.R. 14 — RESOLUTION RECOGNIZING DUGWAY PROVING GROUND, TOOELE ARMY DEPOT, DESERET CHEMICAL DEPOT, UTAH NATIONAL GUARD, AND UNITED STATES MILITARY RESERVES (<i>E. Anderson</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 582 |
| Read the second time | 582 |
| Read the third time | 598 |
| Transmitted to the Senate | 599 |
| Signed by the Speaker and transmitted to the Governor | 620 |
| | |
| H.C.R. 15 — RESOLUTION RECOGNIZING MILITARY APPRECIATION WEEK (<i>J. S. Adams</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 697 |
| Assigned to standing committee | 704 |
| Read the second time | 777 |
| Read the third time | 904 |
| Transmitted to the Senate | 904 |
| Signed by the Speaker and transmitted to the Governor | 1158 |
| | |
| H.C.R. 16 — RESOLUTION URGING RETIREMENT SYSTEM SUPPORT OF ECONOMIC DEVELOPMENT (<i>P. Wallace</i>) | |
| Assigned to standing committee | 705 |
| Returned to Rules Committee | 834 |
| Enacting Clause Stricken | 1179 |

H.J.R. 1 — RESOLUTION AMENDING DATES OF ANNUAL LEGISLATIVE SESSION*(S. Mascaro)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 80 |
| Returned to Rules Committee | 834 |
| Enacting Clause Stricken | 1179 |

H.J.R. 2 — RESOLUTION OF LEGISLATIVE SUPPORT FOR MUSIC AND OTHER FINE ARTS PROGRAMS IN PUBLIC SCHOOLS *(R. Bigelow)*

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 80 |
| Read the second time | 93 |
| Read the third time | 132 |
| Transmitted to the Senate | 132 |
| Signed by the Speaker and transmitted to the Governor | 336 |

H.J.R. 3 — RESOLUTION URGING CONGRESS TO CONSIDER WITHDRAWING THE UNITED STATES FROM THE UNITED NATIONS *(D. Bush)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 76 |
| Assigned to standing committee | 157 |
| Amendments | 182 |
| Read the second time | 183 |
| Read the third time | 260 |
| Amendments | 260 |
| Transmitted to the Senate | 261 |
| Enacting Clause Stricken | 1174 |

H.J.R. 4 — JOINT RULES RESOLUTION – APPROPRIATION PROCESS REVISIONS*(W. Harper)*

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 77 |
| Read the second time | 145 |
| Read the third time | 175 |
| Amendments | 176 |
| Transmitted to the Senate | 179 |
| Enacting Clause Stricken | 1174 |

H.J.R. 5 — JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE MEETINGS*(K. Morgan)*

| | |
|---|----------|
| Read the first time by short title and referred to the Rules Committee. | 77 |
| Amendments | 143 |
| Read the second time | 144, 145 |
| Read the third time | 195 |
| Failed | 196 |
| Reconsideration | 206 |
| Circled | 207 |
| Uncircled | 569 |
| Substituted | 569 |

1st Sub. H.J.R. 5 — JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE

MEETINGS (*K. Morgan*)

- Circled 570
- Uncircled 697
- Failed 698

5th Sub. H.J.R. 5 — JOINT RULES RESOLUTION – APPROPRIATION SUBCOMMITTEE

MEETINGS (*K. Morgan*)

- Enacting Clause Stricken 1179

H.J.R. 6 — RESOLUTION AMENDING JOINT RULES REGARDING LONG TITLE (*B. Ferry*)

- Read the first time by short title and referred to the Rules Committee. 77
- Read the second time 78
- Read the third time 85
- Circled 85
- Uncircled 104
- Transmitted to the Senate 104
- Signed by the Speaker and transmitted to the Governor 227

H.J.R. 7 — JOINT RULES RESOLUTION – RESOLUTIONS AMENDMENTS (*M. Dillree*)

- Read the first time by short title and referred to the Rules Committee. 77
- Read the second time 78
- Read the third time 85
- Transmitted to the Senate 85
- Signed by the Speaker and transmitted to the Governor 227

H.J.R. 8 — RESOLUTION AUTHORIZING THE LEGISLATURE TO CALL ITSELF INTO SESSION (*C. Bennion*)

- Read the first time by short title and referred to the Rules Committee. 101
- Assigned to standing committee 135
- Read the second time 183
- Read the third time 268
- Transmitted to the Senate 269
- Enacting Clause Stricken 1175

H.J.R. 9 — RESOLUTION SUPPORTING EFFORTS TO END HOMELESSNESS (*D. Clark*)

- Read the first time by short title and referred to the Rules Committee. 146
- Assigned to standing committee 188
- Amendments 246
- Read the second time 246
- Read the third time 436
- Transmitted to the Senate 437
- Signed by the Speaker and transmitted to the Governor 904

H.J.R. 10 — JOINT RESOLUTION REAFFIRMING THE STATE OF UTAH’S COMMITMENT TO THE CONSTITUTION AND THE BILL OF RIGHTS (*S. Allen*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 224 |
| Amendments | 368 |
| Read the second time | 370 |
| Read the third time | 539 |
| Transmitted to the Senate | 540 |
| Enacting Clause Stricken | 1175 |

H.J.R. 11 — RESOLUTION URGING A STUDY ON STATEWIDE UNIFORM FEES IMPOSED ON MOTOR HOMES (*L. Shurtliff*)

| | |
|---|------|
| Read the first time by short title and referred to the Rules Committee. | 166 |
| Assigned to standing committee | 225 |
| Read the second time | 247 |
| Read the third time | 438 |
| Circled | 438 |
| Uncircled | 444 |
| Transmitted to the Senate | 445 |
| Enacting Clause Stricken | 1175 |

H.J.R. 12 — RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION (*G. Curtis*)

| | |
|---|-----|
| Read the first time by short title and referred to the Rules Committee. | 201 |
| Assigned to standing committee | 263 |
| Substituted | 426 |

1st Sub. H.J.R. 12 — RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION (*G. Curtis*)

| | |
|--------------------------------|-----|
| Read the second time | 427 |
| Read the third time | 612 |
| Circled | 613 |
| Uncircled | 639 |
| Substituted | 639 |

3rd Sub. H.J.R. 12 — RESOLUTION – EXCEPTION TO SUBSCRIBING TO STOCK PROHIBITION (*G. Curtis*)

| | |
|---|------|
| Circled | 639 |
| Uncircled | 664 |
| Amendments | 664 |
| Transmitted to the Senate | 665 |
| Signed by the Speaker and transmitted to the Governor | 1094 |

| | |
|--|----------|
| H.J.R. 13 — CLOG AMERICA RESOLUTION (<i>B. Goodfellow</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 214 |
| Assigned to standing committee | 240 |
| Read the second time | 314 |
| Read the third time | 483, 665 |
| Time Certain | 483 |
| Transmitted to the Senate | 665 |
| Signed by the Speaker and transmitted to the Governor | 1122 |
| | |
| H.J.R. 14 — RESOLUTION PROVIDING FOR RECALL OF ELECTED OFFICIALS (<i>D. Hogue</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 231 |
| Assigned to standing committee | 278 |
| Referred to Rules Committee | 354 |
| Enacting Clause Stricken | 1179 |
| | |
| H.J.R. 15 — JOINT RESOLUTION – SUBMITTING BONDING FOR OPEN SPACE TO VOTERS (<i>R. Becker</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 493 |
| Read the second time | 661 |
| Returned to Rules Committee | 705 |
| Enacting Clause Stricken | 1179 |
| | |
| H.J.R. 16 — RESOLUTION AMENDING RULES OF CIVIL PROCEDURE – JUDGMENT (<i>G. Curtis</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 350 |
| Amendments | 369 |
| Read the second time | 370 |
| Read the third time | 541 |
| Amendments | 541 |
| Transmitted to the Senate | 542 |
| Signed by the Speaker and transmitted to the Governor | 1029 |
| | |
| H.J.R. 17 — RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION (<i>M. Noel</i>) | |
| Read the first time by short title and referred to the Rules Committee. | 259 |
| Assigned to standing committee | 519 |
| Substituted | 647 |
| | |
| 1st Sub. H.J.R. 17 — RESOLUTION URGING ACTION FOR APPARENT BREACHES OF UTAH'S ENABLING ACT AND FEDERAL CONSTITUTION (<i>M. Noel</i>) | |
| Read the second time | 647 |
| Returned to Rules Committee | 705 |
| Placed on calendar | 753 |
| Read the third time | 795 |
| Transmitted to the Senate | 795 |
| Signed by the Speaker and transmitted to the Governor | 1094 |

- H.J.R. 18** — RESOLUTION REFERRING NONBINDING OPINION QUESTION ON
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| Read the third time | 913 |
| Amendments | 913 |
| Returned to the Senate | 915 |
| Signed by the Speaker and returned to the Senate | 1014 |
| | |
| 2nd Sub. S.B. 60 — SPORTS DEVELOPMENT AND TOURISM, RECREATION, CULTURAL, | |
| CONVENTION, AND SPORTS FACILITIES TAX AMENDMENTS (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 822 |
| Read the second time | 1000 |
| Read the third time | 1067 |
| Circled | 1067 |
| Uncircled | 1163 |
| Substituted | 1163 |
| | |
| 5th Sub. S.B. 60 — SPORTS DEVELOPMENT, TOURISM PROMOTION, AND TOURISM, | |
| RECREATION, CULTURAL, CONVENTION, AND SPORTS FACILITIES TAX | |
| AMENDMENTS (<i>M. Waddoups</i>) | |
| Failed | 1167 |
| Returned to the Senate | 1167 |

S.B. 62 — STAY OF EXECUTION AMENDMENTS (*D. Thomas*)

- Read the first time by short title and referred to Rules Committee 722
- Read the second time 928
- Read the third time 955
- Circled 955
- Uncircled 1020
- Signed by the Speaker and returned to the Senate 1021

S.B. 63 — WITNESS TAMPERING AMENDMENTS (*D. C. Buttars*)

- Read the first time by short title and referred to Rules Committee 426
- Assigned to standing committee 452
- Read the second time 509
- Read the third time 763
- Signed by the Speaker and returned to the Senate 763

S.B. 65 — COUNTY CLASSIFICATION AMENDMENTS (*L. Blackham*)

- Read the first time by short title and referred to Rules Committee 367
- Assigned to standing committee 385
- Amendments 501
- Read the second time 500
- Read the third time 582
- Returned to the Senate 583
- Signed by the Speaker and returned to the Senate 653

1st Sub. S.B. 66 — TELECOMMUNICATIONS AMENDMENTS (*J. Hickman*)

- Read the first time by short title and referred to Rules Committee 652
- Assigned to standing committee 704
- Amendments 819
- Read the second time 820, 1000
- Returned to Rules Committee 820
- Read the third time 1023
- Circled 1023
- Uncircled 1023
- Time Certain 1023
- Amendments 1034
- Returned to the Senate 1037
- Placed on Concurrence Calendar 1086
- Refuse to Recede 1090
- Other Action 1108
- Conference Committee Report 1154
- Substituted 1154

2nd Sub. S.B. 66 — TELECOMMUNICATIONS AMENDMENTS (*J. Hickman*)

- Signed by the Speaker and returned to the Senate 1170

| | |
|--|---------------|
| S.B. 67 — DESIGNATION OF AMERICAN INDIAN HERITAGE MONTH AND AN INDIGENOUS PEOPLE DAY (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 139 |
| Assigned to standing committee | 158 |
| Read the second time | 183 |
| Read the third time | 202 |
| Circled | 202 |
| Uncircled | 215 |
| Signed by the Speaker and returned to the Senate | 216 |
| | |
| 1st Sub. S.B. 68 — PROHIBITION OF PUBLIC FUNDING FOR ABORTION (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 159 |
| Assigned to standing committee | 180 |
| Read the second time | 229 |
| Read the third time | 299 |
| Circled | 299, 320, 330 |
| Uncircled | 307, 329, 331 |
| Amendments | 307 |
| Substituted | 331 |
| | |
| 3rd Sub. S.B. 68 — PROHIBITION OF PUBLIC FUNDING FOR ABORTION (<i>C. Bramble</i>) | |
| Amendments | 331 |
| Returned to the Senate | 410 |
| Signed by the Speaker and returned to the Senate | 473 |
| | |
| 1st Sub. S.B. 69 — PARTIAL BIRTH ABORTION AMENDMENTS (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 181 |
| Assigned to standing committee | 188 |
| Substituted | 370 |
| | |
| 2nd Sub. S.B. 69 — PARTIAL BIRTH ABORTION AMENDMENTS (<i>C. Bramble</i>) | |
| Read the second time | 370 |
| Read the third time | 557 |
| Amendments | 557 |
| Returned to the Senate | 559 |
| Signed by the Speaker and returned to the Senate | 606 |
| | |
| S.B. 70 — HEALTH CARE FACILITY LICENSING EXEMPTION (<i>J. Hickman</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 199 |
| Read the second time | 429 |
| Read the third time | 589 |
| Signed by the Speaker and returned to the Senate | 590 |

S.B. 71 — SAFETY BELT ENFORCEMENT (*K. Hale*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 499 |
| Assigned to standing committee | 704 |
| Returned to Rules Committee | 826 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

S.B. 72 — DISPOSITION OF FINES FOR REGISTRATION VIOLATIONS (*J. Hickman*)

| | |
|--|----------|
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 225 |
| Read the second time | 341, 879 |
| Referred to Rules Committee due to fiscal impact | 341 |
| Read the third time | 882 |
| Amendments | 882 |
| Returned to the Senate | 884 |
| Signed by the Speaker and returned to the Senate | 917 |

S.B. 73 — ESCAPE AMENDMENTS (*T. Hatch*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 224 |
| Read the second time | 281 |
| Read the third time | 306 |
| Circled | 306 |
| Uncircled | 330 |
| Signed by the Speaker and returned to the Senate | 330 |

1st Sub. S.B. 76 — REVISIONS TO ROYALTY ON BRINE SHRIMP (*T. Hatch*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 350 |
| Read the second time | 458 |
| Read the third time | 593 |
| Signed by the Speaker and returned to the Senate | 594 |

S.B. 77 — EXPANSION OF NEW MOTOR VEHICLE WARRANTIES (*P. Arent*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 139 |
| Assigned to standing committee | 158 |
| Read the second time | 200 |
| Read the third time | 216 |
| Signed by the Speaker and returned to the Senate | 217 |

S.B. 79 — REPEAL OF CHILD WELFARE WORKER DESIGNATIONS (*D. Eastman*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 199 |
| Read the second time | 429 |
| Read the third time | 523 |
| Signed by the Speaker and returned to the Senate | 524 |

| | |
|--|------|
| S.B. 80 — CAPITAL PUNISHMENT AMENDMENTS – EXCLUDED DAYS (<i>J. Valentine</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 350 |
| Read the second time | 503 |
| Read the third time | 596 |
| Signed by the Speaker and returned to the Senate | 597 |
| | |
| S.B. 81 — CHILD AND FAMILY SERVICES – PLEA IN ABEYANCE (<i>P. Hellewell</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Returned to Rules Committee | 825 |
| Read the second time | 1000 |
| Read the third time | 1022 |
| Signed by the Speaker and returned to the Senate | 1023 |
| | |
| 2nd Sub. S.B. 82 — DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND (<i>R. Allen</i>) | |
| Read the first time by short title and referred to Rules Committee | 279 |
| Assigned to standing committee | 312 |
| Substituted | 390 |
| | |
| 4th Sub. S.B. 82 — DEPOSITS INTO UINTAH BASIN REVITALIZATION FUND (<i>B. Evans</i>) | |
| Read the second time | 390 |
| Read the third time | 588 |
| Returned to the Senate | 589 |
| Signed by the Speaker and returned to the Senate | 653 |
| | |
| S.B. 83 — UNINSURED EMPLOYERS' FUND AMENDMENTS (<i>E. Mayne</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 198 |
| Read the second time | 320 |
| Read the third time | 413 |
| Signed by the Speaker and returned to the Senate | 413 |
| | |
| S.B. 84 — PARTY TO FELONY OFFENSE ENHANCEMENT (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 224 |
| Read the second time | 282 |
| Read the third time | 306 |
| Signed by the Speaker and returned to the Senate | 306 |
| | |
| S.B. 85 — POLITICAL ACTIVITIES OF PUBLIC ENTITIES AMENDMENTS (<i>D. Thomas</i>) | |
| Read the first time by short title and referred to Rules Committee | 139 |
| Assigned to standing committee | 157 |
| Read the second time | 183 |
| Read the third time | 201 |
| Amendments | 201 |
| Returned to the Senate | 202 |

S.B. 86 — MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS (*D. C.**Buttars*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 279 |
| Assigned to standing committee | 312 |
| Read the second time | 536 |
| Read the third time | 633 |
| Signed by the Speaker and returned to the Senate | 633 |

S.B. 87 — DRIVER LICENSE CERTIFICATE AMENDMENTS (*C. Walker*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 159 |
| Assigned to standing committee | 180 |
| Read the second time | 200 |
| Read the third time | 217 |
| Signed by the Speaker and returned to the Senate | 218 |

2nd Sub. S.B. 88 — UNIFORM BUILDING STANDARDS ACT – MANUFACTURED HOUSING AMENDMENTS (*L. Hillyard*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 223 |
| Read the second time | 433 |
| Read the third time | 590 |
| Signed by the Speaker and returned to the Senate | 590 |

1st Sub. S.B. 89 — CONTRACTOR LICENSING AMENDMENTS (*P. Hellewell*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Returned to Rules Committee | 828 |
| Read the second time | 1000 |
| Read the third time | 1023 |
| Signed by the Speaker and returned to the Senate | 1024 |

4th Sub. S.B. 90 — MEDICAL NEGLIGENCE – EXCLUSION (*D. Thomas*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 492 |
| Returned to Rules Committee | 825 |
| Read the second time | 1077 |
| Read the third time | 1168 |
| Amendments | 1168 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

| | |
|---|------------|
| S.B. 91 — EMERGENCY MEDICAL SERVICE PROVIDER AMENDMENTS (<i>S. Jenkins</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 224 |
| Amendments | 473 |
| Read the second time | 474 |
| Placed on calendar | 493 |
| Read the third time | 595 |
| Circled | 595 |
| Uncircled | 919 |
| Amendments | 919 |
| Returned to the Senate | 920 |
| Signed by the Speaker and returned to the Senate | 1014 |
| | |
| S.B. 92 — REPEAL OF UNSOLICITED COMMERCIAL AND SEXUALLY EXPLICIT EMAIL ACT (<i>P. Arent</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 199 |
| Read the second time | 266 |
| Read the third time | 341 |
| Signed by the Speaker and returned to the Senate | 342 |
| | |
| S.B. 93 — TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 225 |
| Read the second time | 266 |
| Read the third time | 303 |
| Circled | 303, 1038 |
| Uncircled | 1038, 1049 |
| Substituted | 1050 |
| | |
| 1st Sub. S.B. 93 — TELECOMMUNICATIONS ANNUAL REPORT AMENDMENTS (<i>B. Evans</i>) | |
| Returned to the Senate | 1050 |
| Signed by the Speaker and returned to the Senate | 1092 |
| | |
| S.B. 94 — MINE CERTIFICATION REQUIREMENTS (<i>M. Dmitrich</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 225 |
| Read the second time | 281 |
| Read the third time | 303 |
| Circled | 303 |
| Uncircled | 304 |
| Signed by the Speaker and returned to the Senate | 304 |
| | |
| S.B. 96 — UTAH OCCUPATIONAL SAFETY AND HEALTH ACT AMENDMENTS (<i>E. Mayne</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 198 |
| Read the second time | 320 |
| Read the third time | 413 |
| Signed by the Speaker and returned to the Senate | 414 |

| | |
|---|----------|
| S.B. 97 — CERTIFICATION DEADLINE FOR POLITICAL PARTIES (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 224 |
| Read the second time | 246 |
| Read the third time | 300 |
| Circled | 300, 322 |
| Uncircled | 321, 327 |
| Substituted | 327 |
| | |
| 1st Sub. S.B. 97 — CERTIFICATION DEADLINE FOR POLITICAL PARTIES (<i>C. Bramble</i>) | |
| Returned to the Senate | 328 |
| Signed by the Speaker and returned to the Senate | 367 |
| | |
| S.B. 98 — FEES FOR ELECTRONIC PROCESSING OF CERTAIN MOTOR VEHICLE TRANSACTIONS (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Assigned to standing committee | 199 |
| Read the second time | 243 |
| Read the third time | 300 |
| Circled | 300 |
| Uncircled | 302 |
| Signed by the Speaker and returned to the Senate | 303 |
| | |
| S.B. 103 — CHILD REMOVAL AMENDMENTS (<i>P. Hellewell</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Returned to Rules Committee | 825 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 104 — SELECTION OF MENTAL HEALTH THERAPIST IN TERMINATION OF PARENTAL RIGHTS (<i>P. Hellewell</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Returned to Rules Committee | 825 |
| Read the second time | 1026 |
| Read the third time | 1067 |
| Signed by the Speaker and returned to the Senate | 1068 |
| | |
| 1st Sub. S.B. 106 — DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES (<i>D. C. Buttars</i>) | |
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 492 |
| Substituted | 736 |

2nd Sub. S.B. 106 — DISHONORED CHECKS – MOTOR VEHICLE REPAIR FACILITIES*(D. C. Buttars)*

| | |
|------------------------------|-----|
| Amendments | 736 |
| Read the second time | 738 |
| Read the third time | 918 |
| Failed | 919 |
| Returned to the Senate | 919 |

S.B. 107 — ADVANCED PRACTICE REGISTERED NURSE MODIFICATIONS *(P. Knudson)*

| | |
|--|----------|
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Read the second time | 821, 928 |
| Returned to Rules Committee | 821 |
| Read the third time | 1006 |
| Signed by the Speaker and returned to the Senate | 1007 |

S.B. 108 — REVISOR'S STATUTE *(L. Hillyard)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 189 |
| Read the second time | 207 |
| Read the third time | 218 |
| Circled | 218 |
| Uncircled | 421 |
| Signed by the Speaker and returned to the Senate | 421 |

S.B. 109 — INDIVIDUAL INCOME TAX CONTRIBUTIONS FOR EDUCATION *(D. Thomas)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 279 |
| Assigned to standing committee | 312 |
| Read the second time | 356 |
| Read the third time | 554 |
| Amendments | 554 |
| Returned to the Senate | 556 |
| Signed by the Speaker and returned to the Senate | 606 |

1st Sub. S.B. 111 — MECHANICS' LIENS AMENDMENTS *(S. Jenkins)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 241 |
| Assigned to standing committee | 263 |
| Read the second time | 433 |
| Read the third time | 526 |
| Signed by the Speaker and returned to the Senate | 527 |

S.B. 112 — UNIFORM ANATOMICAL GIFT ACT AMENDMENTS *(K. Hale)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 279 |
| Assigned to standing committee | 312 |
| Read the second time | 474 |
| Read the third time | 551 |
| Circled | 551 |
| Uncircled | 553 |
| Signed by the Speaker and returned to the Senate | 554 |

| | |
|---|------|
| S.B. 113 — ADMINISTRATIVE PROCEDURES ACT AMENDMENTS (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 210 |
| Assigned to standing committee | 223 |
| Read the second time | 535 |
| Read the third time | 765 |
| Signed by the Speaker and returned to the Senate | 766 |
| | |
| S.B. 114 — AMENDMENTS TO PRESCRIBING, PREPARATION, AND DISPENSING OF PRESCRIPTION DRUGS (<i>P. Knudson</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 879 |
| Read the third time | 882 |
| Circled | 882 |
| Uncircled | 884 |
| Amendments | 884 |
| Returned to the Senate | 885 |
| Signed by the Speaker and returned to the Senate | 917 |
| | |
| S.B. 115 — SPECIAL ELECTION DATES (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 264 |
| Assigned to standing committee | 278 |
| Read the second time | 353 |
| Read the third time | 417 |
| Amendments | 417 |
| Returned to the Senate | 420 |
| | |
| S.B. 116 — COUNTY RECORDER AMENDMENTS (<i>T. Hatch</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 350 |
| Read the second time | 389 |
| Read the third time | 565 |
| Circled | 565 |
| Uncircled | 1038 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 118 — JUDICIARY AMENDMENTS (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 264 |
| Assigned to standing committee | 278 |
| Read the second time | 370 |
| Read the third time | 556 |
| Signed by the Speaker and returned to the Senate | 557 |
| | |
| S.B. 119 — PROSECUTION JURISDICTION AMENDMENT (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 350 |
| Read the second time | 503 |
| Read the third time | 597 |
| Signed by the Speaker and returned to the Senate | 597 |

| | |
|--|-----|
| S.B. 120 — RESIDENTIAL PROPERTY TAX EXEMPTION (<i>D. Thomas</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 350 |
| Read the second time | 390 |
| Read the third time | 568 |
| Signed by the Speaker and returned to the Senate | 569 |
| | |
| S.B. 122 — PAYMENT OF CLAIMS ON DECEASED SETTLOR'S ESTATE (<i>J. Valentine</i>) | |
| Read the first time by short title and referred to Rules Committee | 352 |
| Assigned to standing committee | 364 |
| Read the second time | 434 |
| Read the third time | 527 |
| Signed by the Speaker and returned to the Senate | 528 |
| | |
| S.B. 123 — COURT REPORTER AMENDMENTS (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 349 |
| Read the second time | 535 |
| Read the third time | 764 |
| Signed by the Speaker and returned to the Senate | 765 |
| | |
| S.B. 124 — PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY (<i>S. Killpack</i>) | |
| Read the first time by short title and referred to Rules Committee | 426 |
| Assigned to standing committee | 452 |
| Substituted | 504 |
| | |
| 1st Sub. S.B. 124 — PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A MUNICIPALITY (<i>S. Killpack</i>) | |
| Read the second time | 505 |
| Read the third time | 759 |
| Substituted | 759 |
| | |
| 2nd Sub. S.B. 124 — PROHIBITION ON SALES AND USE TAX INCENTIVE PAYMENTS BY A COUNTY OR MUNICIPALITY (<i>S. Killpack</i>) | |
| Returned to the Senate | 760 |
| Signed by the Speaker and returned to the Senate | 822 |
| | |
| S.B. 125 — CONFIDENTIALITY OF DRUG TESTING (<i>P. Julander</i>) | |
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 492 |
| Read the second time | 536 |
| Read the third time | 632 |
| Signed by the Speaker and returned to the Senate | 633 |

1st Sub. S.B. 128 — LONG-TERM CARE FACILITIES AMENDMENTS (*L. Blackham*)

- Read the first time by short title and referred to Rules Committee 426
- Assigned to standing committee 452
- Read the second time 560
- Referred to Rules Committee due to fiscal impact 560
- Placed on calendar 753
- Read the third time 921
- Circled 921
- Uncircled 926
- Amendments 926
- Returned to the Senate 927
- Signed by the Speaker and returned to the Senate 1014

S.B. 129 — COMMUNITY ASSOCIATIONS (*M. Waddoups*)

- Read the first time by short title and referred to Rules Committee 264
- Assigned to standing committee 278
- Amendments 432
- Read the second time 433
- Read the third time 590
- Amendments 591
- Returned to the Senate 592
- Signed by the Speaker and returned to the Senate 653

S.B. 131 — UNIFORM PRINCIPAL AND INCOME ACT (*L. Hillyard*)

- Read the first time by short title and referred to Rules Committee 426
- Assigned to standing committee 452
- Read the second time 780, 870
- Returned to Rules Committee 780
- Read the third time 941
- Circled 941
- Uncircled 945
- Substituted 945

1st Sub. S.B. 131 — UNIFORM PRINCIPAL AND INCOME ACT (*L. Hillyard*)

- Returned to the Senate 946
- Signed by the Speaker and returned to the Senate 1014

S.B. 132 — UTAH CONSTRUCTION TRADES LICENSING ACT – ELECTRICAL LICENSING AMENDMENTS (*S. Jenkins*)

- Read the first time by short title and referred to Rules Committee 335
- Assigned to standing committee 349
- Read the second time 480
- Read the third time 594
- Signed by the Speaker and returned to the Senate 595

| | |
|---|----------|
| S.B. 133 — BULK DELIVERY OF MOTOR FUEL (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 426 |
| Assigned to standing committee | 453 |
| Read the second time | 507 |
| Read the third time | 762 |
| Signed by the Speaker and returned to the Senate | 763 |
| | |
| 1st Sub. S.B. 134 — GOVERNOR'S COMMISSION FOR WOMEN AND FAMILIES (<i>C. Walker</i>) | |
| Read the first time by short title and referred to Rules Committee | 406 |
| Assigned to standing committee | 423 |
| Read the second time | 506 |
| Read the third time | 761 |
| Amendments | 761 |
| Returned to the Senate | 762 |
| Signed by the Speaker and returned to the Senate | 822 |
| | |
| S.B. 135 — CENTER FOR MULTICULTURAL HEALTH (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
| Assigned to standing committee | 349 |
| Amendments | 428 |
| Read the second time | 429, 879 |
| Referred to Rules Committee due to fiscal impact | 429 |
| Read the third time | 879 |
| Returned to the Senate | 880 |
| Signed by the Speaker and returned to the Senate | 917 |
| | |
| S.B. 136 — UNIFORM INTERSTATE FAMILY SUPPORT ACT (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 503 |
| Read the third time | 597 |
| Signed by the Speaker and returned to the Senate | 598 |
| | |
| S.B. 137 — INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION – APPLICATION FEE (<i>K. Hale</i>) | |
| Read the first time by short title and referred to Rules Committee | 352 |
| Assigned to standing committee | 364 |
| Read the second time | 432 |
| Read the third time | 525 |
| Signed by the Speaker and returned to the Senate | 526 |
| | |
| 1st Sub. S.B. 138 — FISHING AND HUNTING LICENSE AMENDMENTS (<i>D. Gladwell</i>) | |
| Read the first time by short title and referred to Rules Committee | 386 |
| Assigned to standing committee | 423 |
| Read the second time | 503 |
| Read the third time | 758 |
| Signed by the Speaker and returned to the Senate | 759 |

S.B. 139 — INDIVIDUAL INCOME TAX – NONRESIDENT INCOME AMENDMENTS*(C. Bramble)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 493 |
| Read the second time | 659 |
| Read the third time | 812 |
| Circled | 812 |
| Uncircled | 951 |
| Signed by the Speaker and returned to the Senate | 952 |

2nd Sub. S.B. 140 — HUMAN SERVICES LICENSING AMENDMENTS *(D. C. Buttars)*

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 704 |
| Returned to Rules Committee | 827 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

S.B. 141 — NEW JUDGE – SECOND DISTRICT COURT *(G. Bell)*

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 503 |
| Referred to Rules Committee due to fiscal impact | 503 |
| Placed on calendar | 1013 |
| Read the third time | 1016 |
| Signed by the Speaker and returned to the Senate | 1017 |

S.B. 142 — VALIDITY OF MARRIAGE LICENSES *(G. Davis)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 501 |
| Read the third time | 583 |
| Signed by the Speaker and returned to the Senate | 584 |

S.B. 143 — CRIMINAL OFFENSE ATTEMPT AMENDMENTS *(D. Gladwell)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 406 |
| Assigned to standing committee | 423 |
| Read the second time | 509 |
| Read the third time | 763 |
| Signed by the Speaker and returned to the Senate | 764 |

S.B. 144 — CORPORATIONS SOLE AMENDMENTS *(L. Hillyard)*

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 426 |
| Assigned to standing committee | 451 |
| Amendments | 609 |
| Read the second time | 610 |
| Read the third time | 767 |
| Returned to the Senate | 768 |
| Signed by the Speaker and returned to the Senate | 822 |

| | |
|--|-----|
| S.B. 145 — COUNTY SURVEYOR AMENDMENTS (<i>C. Walker</i>) | |
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 501 |
| Read the third time | 595 |
| Signed by the Speaker and returned to the Senate | 596 |
| | |
| S.B. 146 — OLYMPIC LAW REVISIONS AND CLEANUP (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 628 |
| Assigned to standing committee | 645 |
| Read the second time | 779 |
| Read the third time | 906 |
| Signed by the Speaker and returned to the Senate | 907 |
| | |
| S.B. 147 — CONDOMINIUM AMENDMENTS (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 426 |
| Assigned to standing committee | 451 |
| Read the second time | 610 |
| Read the third time | 768 |
| Signed by the Speaker and returned to the Senate | 769 |
| | |
| S.B. 149 — PETE SUAZO UTAH ATHLETIC COMMISSION ACT AMENDMENTS (<i>E. Mayne</i>) | |
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 535 |
| Read the third time | 766 |
| Signed by the Speaker and returned to the Senate | 767 |
| | |
| S.B. 150 — JUDICIAL CONFIRMATION PROCESS AMENDMENTS (<i>D. C. Buttars</i>) | |
| Read the first time by short title and referred to Rules Committee | 426 |
| Assigned to standing committee | 452 |
| Amendments | 533 |
| Read the second time | 533 |
| Read the third time | 629 |
| Returned to the Senate | 630 |
| Signed by the Speaker and returned to the Senate | 684 |
| | |
| S.B. 152 — DIVISION OF COMMUNITY DEVELOPMENT NAME CHANGE (<i>S. Jenkins</i>) | |
| Read the first time by short title and referred to Rules Committee | 367 |
| Assigned to standing committee | 385 |
| Read the second time | 505 |
| Read the third time | 585 |
| Signed by the Speaker and returned to the Senate | 585 |

| | |
|--|------|
| S.B. 154 — SCHOOL BUILDING LEGISLATIVE TASK FORCE (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 605 |
| Assigned to standing committee | 645 |
| Read the second time | 725 |
| Read the third time | 910 |
| Signed by the Speaker and returned to the Senate | 911 |
| Recalled | 941 |
| | |
| S.B. 155 — COUNTY MENTAL HEALTH AMENDMENTS (<i>G. Davis</i>) | |
| Read the first time by short title and referred to Rules Committee | 546 |
| Assigned to standing committee | 567 |
| Returned to Rules Committee | 825 |
| Read the second time | 928 |
| Read the third time | 1011 |
| Substituted | 1011 |
| | |
| 1st Sub. S.B. 155 — COUNTY MENTAL HEALTH AMENDMENTS (<i>G. Davis</i>) | |
| Circled | 1011 |
| Uncircled | 1017 |
| Returned to the Senate | 1018 |
| Signed by the Speaker and returned to the Senate | 1088 |
| | |
| S.B. 156 — SUBSTITUTE TEACHERS VOLUNTEER PROGRAM (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 157 — AUTHORIZATION TO PERFORM MARRIAGES (<i>C. Walker</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 1000 |
| Read the third time | 1024 |
| Signed by the Speaker and returned to the Senate | 1026 |
| | |
| S.B. 158 — CRIMINAL OFFENSE AMENDMENTS (<i>G. Bell</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1000 |
| Read the third time | 1038 |
| Signed by the Speaker and returned to the Senate | 1039 |
| | |
| S.B. 159 — ANNEXATION OF PUBLIC LAND TO SPECIAL AND LOCAL DISTRICTS (<i>M. Dmitrich</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1000 |
| Read the third time | 1065 |
| Signed by the Speaker and returned to the Senate | 1066 |

| | |
|--|------|
| S.B. 160 — CONTROLLED SUBSTANCES ACT AMENDMENTS (<i>P. Julander</i>) | |
| Read the first time by short title and referred to Rules Committee | 455 |
| Assigned to standing committee | 492 |
| Read the second time | 533 |
| Read the third time | 630 |
| Signed by the Speaker and returned to the Senate | 631 |
| | |
| S.B. 161 — JUDICIAL CONDUCT COMMISSION (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 581 |
| Assigned to standing committee | 605 |
| Amendments | 685 |
| Read the second time | 687 |
| Read the third time | 812 |
| Returned to the Senate | 813 |
| Signed by the Speaker and returned to the Senate | 902 |
| | |
| S.B. 162 — INTERSTATE INSURANCE PRODUCT REGULATION – COMPACT (<i>J. Valentine</i>) | |
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Returned to Rules Committee | 828 |
| Read the second time | 1000 |
| Read the third time | 1018 |
| Signed by the Speaker and returned to the Senate | 1019 |
| | |
| 1st Sub. S.B. 163 — PROPERTY TAX – CONFIDENTIALITY OF CERTAIN INFORMATION (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 1000 |
| Read the third time | 1039 |
| Signed by the Speaker and returned to the Senate | 1040 |
| | |
| S.B. 165 — WORKERS' COMPENSATION AMENDMENTS (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 668 |
| Assigned to standing committee | 705 |
| Returned to Rules Committee | 834 |
| Read the second time | 870 |
| Read the third time | 942 |
| Circled | 942 |
| Uncircled | 1050 |
| Substituted | 1051 |

2nd Sub. S.B. 165 — WORKERS' COMPENSATION AMENDMENTS (*C. Bramble*)

| | |
|-----------------------------------|------------|
| Circled | 1051 |
| Uncircled | 1077 |
| Amendments | 1078 |
| Returned to the Senate | 1085, 1181 |
| Refuse to Recede | 1145 |
| Other Action | 1163, 1173 |
| Conference Committee Report | 1172 |
| Enacting Clause Stricken | 1180 |
| Transmitted to Senate | 1180 |

1st Sub. S.B. 166 — OFF-HIGHWAY VEHICLE REGISTRATION PROVISIONS (*T. Hatch*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 546 |
| Assigned to standing committee | 567 |
| Read the second time | 657 |
| Read the third time | 811 |
| Signed by the Speaker and returned to the Senate | 812 |

S.B. 167 — VICTIM RESTITUTION AMENDMENTS (*G. Bell*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 928 |
| Read the third time | 955 |
| Signed by the Speaker and returned to the Senate | 956 |

S.B. 168 — DRIVER LICENSE RELATED AMENDMENTS (*C. Walker*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 581 |
| Assigned to standing committee | 605 |
| Read the second time | 685 |
| Read the third time | 800 |
| Signed by the Speaker and returned to the Senate | 800 |

S.B. 169 — SALES AND USE TAX AGRICULTURAL EXEMPTIONS (*R. Allen*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 917 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

1st Sub. S.B. 170 — PUBLIC TRANSIT DISTRICT AMENDMENTS (*J. Evans*)

| | |
|--|------------|
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 1000 |
| Read the third time | 1019 |
| Circled | 1019, 1075 |
| Uncircled | 1074, 1095 |
| Amendments | 1074, 1095 |
| Returned to the Senate | 1097 |
| Signed by the Speaker and returned to the Senate | 1152 |

| | |
|---|------------|
| S.B. 171 — PROPERTY TAX TREATMENT OF TRANSPORTABLE FACTORY–BUILT HOUSING UNITS (<i>C. Bramble</i>) | |
| Read the first time by short title and referred to Rules Committee | 605 |
| Assigned to standing committee | 646 |
| Read the second time | 723 |
| Read the third time | 815 |
| Signed by the Speaker and returned to the Senate | 816 |
| | |
| S.B. 172 — EDUCATION ARTICULATION LEGISLATIVE TASK FORCE (<i>S. Jenkins</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| 1st Sub. S.B. 173 — BAIL BOND REINSTATEMENT AMENDMENTS (<i>G. Bell</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Read the second time | 777, 1000 |
| Read the third time | 1064 |
| Uncircled | 1071 |
| Signed by the Speaker and returned to the Senate | 1065, 1072 |
| | |
| S.B. 174 — ADOPTION OF UNIFORM JUVENILE COMPACT (<i>D. Gladwell</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| 2nd Sub. S.B. 175 — PROTECTION OF PRIVATE LAWFULLY OBTAINED PROPERTY (<i>D. C. Buttars</i>) | |
| Read the first time by short title and referred to Rules Committee | 628 |
| Assigned to standing committee | 704 |
| Amendments | 779 |
| Read the second time | 780, 928 |
| Returned to Rules Committee | 780 |
| Read the third time | 1011 |
| Amendments | 1011 |
| Returned to the Senate | 1013 |
| Signed by the Speaker and returned to the Senate | 1088 |
| | |
| 1st Sub. S.B. 176 — FINANCIAL INSTITUTIONS AMENDMENTS (<i>J. Valentine</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 928 |
| Read the third time | 956 |
| Signed by the Speaker and returned to the Senate | 956 |
| Intent Language | 956 |

| | |
|---|----------|
| S.B. 177 — PROPERTY TAX – OUTDOOR ADVERTISING (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 705 |
| Returned to Rules Committee | 836 |
| Read the second time | 870 |
| Read the third time | 942 |
| Amendments (failed) | 942 |
| Signed by the Speaker and returned to the Senate | 944 |
| | |
| 1st Sub. S.B. 178 — MORTGAGE BROKER AMENDMENTS (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1000 |
| Read the third time | 1053 |
| Amendments | 1053 |
| Returned to the Senate | 1057 |
| Signed by the Speaker and returned to the Senate | 1092 |
| | |
| 1st Sub. S.B. 179 — EXPEDITED APPEALS IN CHILD WELFARE CASES (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Read the second time | 780, 928 |
| Returned to Rules Committee | 780 |
| Read the third time | 1007 |
| Signed by the Speaker and returned to the Senate | 1008 |
| | |
| S.B. 182 — ASSISTANT ADJUTANT GENERAL QUALIFICATIONS (<i>P. Knudson</i>) | |
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Read the second time | 777 |
| Read the third time | 904 |
| Signed by the Speaker and returned to the Senate | 905 |
| | |
| S.B. 183 — LOCAL GOVERNMENTS – AUTHORITY FOR DESIGN-BUILD CONSTRUCTION (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 799 |
| Read the second time | 870 |
| Read the third time | 948 |
| Amendments | 948 |
| Returned to the Senate | 949 |
| Signed by the Speaker and returned to the Senate | 1014 |
| | |
| S.B. 184 — INTERLOCAL COOPERATION ACT AMENDMENTS (<i>G. Bell</i>) | |
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Read the second time | 782 |
| Read the third time | 908 |
| Signed by the Speaker and returned to the Senate | 909 |

1st Sub. S.B. 185 — PUBLIC EDUCATION AMENDMENTS (*T. Hatch*)

| | |
|--|----------|
| Read the first time by short title and referred to Rules Committee | 707 |
| Read the second time | 870 |
| Read the third time | 921 |
| Amendments | 921, 946 |
| Circled | 923 |
| Uncircled | 946 |
| Returned to the Senate | 947 |
| Signed by the Speaker and returned to the Senate | 1014 |

S.B. 187 — WATER CONSERVANCY DISTRICTS TRUSTEES (*H. Stephenson*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 652 |
| Assigned to standing committee | 667 |
| Read the second time | 779 |
| Read the third time | 907 |
| Signed by the Speaker and returned to the Senate | 908 |

1st Sub. S.B. 190 — SALES AND USE TAX EXEMPTION RELATING TO FILM, TELEVISION,
AND VIDEO (*H. Stephenson*)

| | |
|--|-----------|
| Read the first time by short title and referred to Rules Committee | 887 |
| Read the second time | 887 |
| Read the third time | 887 |
| Circled | 888, 892 |
| Uncircled | 892, 1051 |
| Signed by the Speaker and returned to the Senate | 1052 |

4th Sub. S.B. 191 — OIL AND GAS RELATED TAXES AND FEES (*B. Evans*)

| | |
|--|----------|
| Read the first time by short title and referred to Rules Committee | 962 |
| Read the first time by short title | 897 |
| Read the second time | 898, 962 |
| Read the third time | 898, 964 |
| Signed by the Speaker and returned to the Senate | 898, 965 |

S.B. 192 — LOAN TRANSACTIONS AMENDMENTS (*M. Waddoups*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 1013 |
| Read the second time | 1026 |
| Read the third time | 1141 |
| Amendments | 1142 |
| Returned to the Senate | 1144 |
| Signed by the Speaker and returned to the Senate | 1170 |

S.B. 194 — PLUMBING APPRENTICE AMENDMENTS (*P. Hellewell*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 755 |
| Read the second time | 1026 |
| Read the third time | 1068 |
| Circled | 1068 |
| Uncircled | 1072 |
| Failed | 1073 |
| Returned to the Senate | 1073 |

| | |
|--|------------|
| S.B. 195 — TAXATION OF MULTI-CHANNEL VIDEO OR AUDIO SERVICE (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 965 |
| Read the second time | 965 |
| Read the third time | 998 |
| Circled | 998 |
| Uncircled | 1029 |
| Signed by the Speaker and returned to the Senate | 1030 |
| Reconsideration | 1033 |
| Amendments | 1033 |
| Returned to the Senate | 1034 |
| Signed by the Speaker and returned to the Senate | 1062 |
| | |
| 1st Sub. S.B. 196 — COURT FEE ADJUSTMENTS (<i>D. Gladwell</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 928 |
| Read the third time | 1018 |
| Circled | 1018 |
| Uncircled | 1030 |
| Amendments | 1030 |
| Failed | 1033 |
| Returned to the Senate | 1033, 1120 |
| Recalled | 1104 |
| Reconsideration | 1119 |
| Substituted | 1119 |
| | |
| 2nd Sub. S.B. 196 — COURT FEE ADJUSTMENTS (<i>D. Gladwell</i>) | |
| Signed by the Speaker and returned to the Senate | 1152 |
| | |
| 1st Sub. S.B. 199 — OUTSOURCING STATE JOBS (<i>L. Blackham</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 879 |
| Read the third time | 886 |
| Amendments | 886 |
| Returned to the Senate | 887 |
| Signed by the Speaker and returned to the Senate | 917 |
| | |
| S.B. 200 — LICENSE AND CERTIFICATION EXTENSION FOR DEPLOYED NATIONAL GUARD MEMBERS (<i>P. Knudson</i>) | |
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Read the second time | 821 |
| Read the third time | 1003 |
| Recalled | 1110 |
| Other Action | 1125 |
| Reconsideration | 1135 |
| Signed by the Speaker and returned to the Senate | 1004, 1136 |

| | |
|---|------|
| S.B. 201 — PUNITIVE DAMAGES AMENDMENTS (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 1026 |
| Read the third time | 1068 |
| Signed by the Speaker and returned to the Senate | 1069 |
| | |
| 1st Sub. S.B. 202 — UNEMPLOYMENT INSURANCE AMENDMENTS (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 1000 |
| Read the third time | 1019 |
| Signed by the Speaker and returned to the Senate | 1020 |
| | |
| S.B. 204 — REDEVELOPMENT AGENCY CHANGES (<i>D. Thomas</i>) | |
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 870 |
| Read the third time | 923 |
| Signed by the Speaker and returned to the Senate | 924 |
| | |
| S.B. 206 — PROPERTY TAX AMENDMENTS (<i>H. Stephenson</i>) | |
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 1000 |
| Read the third time | 1063 |
| Signed by the Speaker and returned to the Senate | 1064 |
| | |
| 1st Sub. S.B. 207 — OFFICE OF MUSEUM SERVICES AMENDMENTS (<i>R. Allen</i>) | |
| Read the first time by short title and referred to Rules Committee | 868 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 208 — FUNDING FOR TOURISM (<i>P. Knudson</i>) | |
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 1026 |
| Read the third time | 1157 |
| Substituted | 1157 |
| | |
| 1st Sub. S.B. 208 — FUNDING FOR TOURISM (<i>P. Knudson</i>) | |
| Circled | 1157 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 213 — MOTOR VEHICLES – CLEAN AIR DISCOUNTS (<i>G. Davis</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

1st Sub. S.B. 214 — PROHIBITION OF OBESITY LAWSUITS (*H. Stephenson*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 799 |
| Read the second time | 1026 |
| Read the third time | 1069 |
| Signed by the Speaker and returned to the Senate | 1070 |

2nd Sub. S.B. 215 — COUNTY POWERS AMENDMENTS (*D. Gladwell*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 1000 |
| Read the third time | 1065 |
| Circled | 1065 |
| Uncircled | 1127 |
| Signed by the Speaker and returned to the Senate | 1128 |

S.B. 218 — LAW ENFORCEMENT OVERTIME FUND (*J. Evans*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 949 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

S.B. 219 — AMENDMENTS TO JUSTICE COURT OPERATIONS (*E. Mayne*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 546 |
| Assigned to standing committee | 567 |
| Amendments | 687 |
| Read the second time | 687 |
| Read the third time | 814 |
| Returned to the Senate | 815 |
| Signed by the Speaker and returned to the Senate | 869 |

S.B. 223 — TRANSPORTATION CONSTRUCTION AMENDMENTS (*D. Eastman*)

| | |
|--|-----|
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 928 |
| Read the third time | 957 |
| Signed by the Speaker and returned to the Senate | 958 |

S.B. 224 — HOMELESS COORDINATING COMMITTEE (*K. Hale*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 917 |
| Read the second time | 1026 |
| Read the third time | 1157 |
| Signed by the Speaker and returned to the Senate | 1158 |

S.B. 225 — UNINSURED AND UNDERINSURED MOTORIST COVERAGE (*D. Eastman*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 949 |
| Read the second time | 1000 |
| Read the third time | 1040 |
| Signed by the Speaker and returned to the Senate | 1041 |

| | |
|---|------|
| S.B. 229 — TASK FORCE STUDY OF WILDFIRES IN UTAH (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| 1st Sub. S.B. 230 — PERFORMANCE PLUS – READING ACHIEVEMENT (<i>J. Evans</i>) | |
| Read the first time by short title | 893 |
| Read the second time | 893 |
| Read the third time | 894 |
| Amendments | 894 |
| Returned to the Senate | 897 |
| Refuse to Recede | 916 |
| Other Action | 950 |
| Conference Committee Report | 1106 |
| Substituted | 1106 |
| | |
| 4th Sub. S.B. 230 — READING ACHIEVEMENT PROGRAM (<i>J. Evans</i>) | |
| Signed by the Speaker and transmitted to the Governor | 1125 |
| | |
| S.B. 231 — EXECUTIVE COMPENSATION AMENDMENTS (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 1059 |
| Read the second time | 1059 |
| Read the third time | 1059 |
| Signed by the Speaker and returned to the Senate | 1060 |
| | |
| S.B. 232 — STANDARD OF CARE FOR EMERGENCY VEHICLE DRIVERS (<i>L. Blackham</i>) | |
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 1000 |
| Read the third time | 1064 |
| Circled | 1064 |
| Uncircled | 1094 |
| Signed by the Speaker and returned to the Senate | 1095 |
| | |
| 2nd Sub. S.B. 233 — AIRPORT SECURITY AMENDMENTS (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 1026 |
| Read the third time | 1075 |
| Signed by the Speaker and returned to the Senate | 1076 |
| | |
| S.B. 234 — STATE FAIR PARK LEASING AGREEMENTS (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1026 |
| Read the third time | 1125 |
| Signed by the Speaker and returned to the Senate | 1126 |

| | |
|--|------|
| S.B. 235 — RETIREMENT FOR AIRPORT POLICE (<i>R. Allen</i>) | |
| Read the first time by short title and referred to Rules Committee | 1061 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| S.B. 237 — PIONEER AND COMMUNITY HERITAGE AMENDMENTS (<i>L. Blackham</i>) | |
| Read the first time by short title and referred to Rules Committee | 776 |
| Read the second time | 1000 |
| Read the third time | 1021 |
| Signed by the Speaker and returned to the Senate | 1022 |
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| S.B. 238 — INDIVIDUAL INCOME TAX – EARNED INCOME TAX CREDIT (<i>T. Hatch</i>) | |
| Read the first time by short title and referred to Rules Committee | 546 |
| Assigned to standing committee | 567 |
| Read the second time | 778 |
| Returned to Rules Committee | 778 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |
| | |
| 3rd Sub. S.B. 239 — UNFAIR BUSINESS PRACTICES (<i>M. Dmitrich</i>) | |
| Read the first time by short title and referred to Rules Committee | 949 |
| Read the second time | 1026 |
| Read the third time | 1138 |
| Amendments | 1138 |
| Returned to the Senate | 1141 |
| Intent Language | 1141 |
| Signed by the Speaker and returned to the Senate | 1170 |
| | |
| S.B. 240 — MOTION PICTURE TASK FORCE (<i>R. Allen</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 928 |
| Read the third time | 952 |
| Amendments | 952 |
| Returned to the Senate | 953 |
| Signed by the Speaker and returned to the Senate | 1014 |
| | |
| S.B. 241 — FUTURE FARMERS OF AMERICA SPECIAL LICENSE PLATE (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

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| 1st Sub. S.B. 245 — MEDICAL DISPUTE RESOLUTION AMENDMENTS (<i>L. Blackham</i>) | |
| Read the first time by short title and referred to Rules Committee | 799 |
| Read the second time | 870 |
| Read the third time | 941 |
| Circled | 941 |
| Uncircled | 958 |
| Amendments | 958 |
| Returned to the Senate | 959 |
| Placed on Concurrence Calendar | 1086 |
| Refuse to Recede | 1090 |
| Other Action | 1108 |
| Conference Committee Report | 1117 |
| Amendments | 1117 |
| Signed by the Speaker and returned to the Senate | 1152 |
| | |
| S.B. 248 — TRANSPORTATION GENERAL OBLIGATION BOND (<i>D. Eastman</i>) | |
| Read the first time by short title and referred to Rules Committee | 877 |
| Read the second time | 877 |
| Read the third time | 877 |
| Circled | 878 |
| Uncircled | 878 |
| Amendments | 878 |
| Returned to the Senate | 879 |
| Receded | 885 |
| Signed by the Speaker and returned to the Senate | 886 |
| | |
| S.B. 249 — DEFINING PRACTICE OF CHIROPRACTIC PHYSICIAN (<i>D. C. Buttars</i>) | |
| Read the first time by short title and referred to Rules Committee | 684 |
| Assigned to standing committee | 704 |
| Returned to Rules Committee | 828 |
| Read the second time | 870 |
| Read the third time | 944 |
| Amendments | 944 |
| Returned to the Senate | 945 |
| Signed by the Speaker and returned to the Senate | 1028 |
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| 1st Sub. S.B. 250 — CLASS ACTIONS RELATING TO TAXES OR FEES ADMINISTERED BY THE STATE TAX COMMISSION (<i>J. Valentine</i>) | |
| Read the first time by short title and referred to Rules Committee | 966 |
| Read the second time | 966 |
| Read the third time | 1006 |
| Circled | 1006 |
| Uncircled | 1070 |
| Amendments | 1070, 1161 |
| Returned to the Senate | 1071 |
| Placed on Concurrence Calendar | 1086 |
| Refuse to Recede | 1090 |
| Other Action | 1108 |
| Conference Committee Report | 1161 |
| Signed by the Speaker and returned to the Senate | 1170 |

S.B. 251 — FUNDING THE PURCHASE OF VOTING EQUIPMENT (*D. Eastman*)

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| Read the first time by short title and referred to Rules Committee | 1061 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

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|--|------|
| S.C.R. 1 — CONCURRENT RESOLUTION APPROVING SOLID WASTE PERMIT (<i>T. Hatch</i>) | |
| Read the first time by short title and referred to Rules Committee | 226 |
| Assigned to standing committee | 240 |
| Read the second time | 339 |
| Read the third time | 417 |
| Circled | 417 |
| Uncircled | 568 |
| Signed by the Speaker and returned to the Senate | 568 |
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| 1st Sub. S.C.R. 2 — RESOLUTION REGARDING CONSTRUCTION OF WASTE FACILITY | |
| (<i>B. Wright</i>) | |
| Read the first time by short title and referred to Rules Committee | 949 |
| Read the second time | 1000 |
| Read the third time | 1066 |
| Signed by the Speaker and returned to the Senate | 1067 |
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| S.C.R. 3 — RESOLUTION SUPPORTING HILL AIR FORCE BASE (<i>D. Thomas</i>) | |
| Read the first time by short title and referred to Rules Committee | 139 |
| Assigned to standing committee | 158 |
| Read the second time | 183 |
| Read the third time | 202 |
| Circled | 202 |
| Uncircled | 551 |
| Signed by the Speaker and returned to the Senate | 552 |
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| S.C.R. 4 — RESOLUTION RECOGNIZING 50TH ANNIVERSARY OF LANDMARK CASE OF BROWN V. BOARD OF EDUCATION (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 532 |
| Assigned to standing committee | 567 |
| Read the second time | 725 |
| Read the third time | 912 |
| Signed by the Speaker and returned to the Senate | 913 |
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| S.C.R. 6 — UTAH ATHLETIC FOUNDATION RESOLUTION (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 901 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1180 |
| Returned to the Senate | 1180 |

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| S.J.R. 1 — RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST (<i>P. Knudson</i>) | |
| Read the first time by short title and referred to Rules Committee | 83 |
| Read the second time | 94 |
| Read the third time | 101 |
| Signed by the Speaker and returned to the Senate | 102 |
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| S.J.R. 2 — RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES (<i>B. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 83 |
| Read the second time | 94 |
| Read the third time | 102 |
| Signed by the Speaker and returned to the Senate | 103 |
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| S.J.R. 4 — JOINT RULES RESOLUTION – FISCAL NOTE PROCESS AMENDMENTS (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 189 |
| Read the second time | 207 |
| Read the third time | 218 |
| Circled | 218 |
| Uncircled | 328 |
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| Returned to the Senate | 329 |
| Refuse to Recede | 367 |
| Joint Conference Committee Report | 407, 547 |
| Amendments | 407, 547 |
| Transmitted to the Senate | 408 |
| Signed by the Speaker and returned to the Senate | 457, 582 |
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| 1st Sub. S.J.R. 5 — RESOLUTION URGING CONGRESS TO ADDRESS CITIZEN CHILDREN OF UNDOCUMENTED PARENTS (<i>G. Davis</i>) | |
| Read the first time by short title and referred to Rules Committee | 335 |
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| Read the second time | 389 |
| Read the third time | 565 |
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| Returned to the Senate | 566 |
| Signed by the Speaker and returned to the Senate | 606 |
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| S.J.R. 6 — RESOLUTION ON IMPEACHMENT AUTHORITY (<i>J. Valentine</i>) | |
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| Assigned to standing committee | 385 |
| Amendments | 501 |
| Referred to Rules Committee due to fiscal impact | 503 |
| Read the second time | 503, 879 |
| Read the third time | 880 |
| Returned to the Senate | 881 |
| Signed by the Speaker and returned to the Senate | 917 |

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| S.J.R. 7 — RESOLUTION RECOGNIZING SUGAR HOUSE SESQUICENTENNIAL (<i>G. Davis</i>) | |
| Read the first time by short title and referred to Rules Committee | 528 |
| Read the second time | 528 |
| Read the third time | 530 |
| Signed by the Speaker and returned to the Senate | 530 |
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| S.J.R. 9 — RESOLUTION ON ETHNIC ADVISORY COUNCILS (<i>J. Evans</i>) | |
| Read the first time by short title and referred to Rules Committee | 722 |
| Read the second time | 1077 |
| Enacting Clause Stricken | 1181 |
| Returned to the Senate | 1181 |
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| S.J.R. 10 — MASTER STUDY RESOLUTION (<i>M. Waddoups</i>) | |
| Read the first time by short title and referred to Rules Committee | 1134 |
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| Read the third time | 1135 |
| Circled | 1135 |
| Uncircled | 1145 |
| Amendments | 1134, 1145 |
| Returned to the Senate | 1149 |
| Signed by the Speaker and returned to the Senate | 1170 |
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| S.J.R. 11 — RESOLUTION HONORING O. WILLIAM ASPLUND (<i>L. Hillyard</i>) | |
| Read the first time by short title and referred to Rules Committee | 864 |
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| Read the third time | 864 |
| Signed by the Speaker and returned to the Senate | 865 |

FINAL ACTION
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| HB 2 | General Obligation Bonds Authorizations Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | L. Pace |
| HB 3 | Supplemental Appropriations Act II Governor Line Item Veto on 3/23/2004 Effective Date: 5/3/2004 | R. Bigelow |
| HB 4 | Technical Amendment – Polling Place Supplies Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | K. Morgan |
| HB 5 | Publication of Resolution or Notice Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | E. Hutchings |
| HB 6 | Repeal of Utah Interstate Commission for Cooperation in Higher Education Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | D. Bush |
| HB 7 | Marriage Preparation Education House/ filed on 3/3/2004 | R. McGee |
| HB 8 | Unemployment Insurance Benefits – Social Security Benefits Offset Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | D. Cox |
| HB 9 | Absentee Ballot Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | D. Aagard |
| HB 10 | State Highway System Changes Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | J. Dougall |

- HB 11 **Unused Sick Leave for State Employee Provisions** D. Clark
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Effective 5/3/2004
- HB 12 **Requirements for Recording Certain Real Estate Documents** D. Clark
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- HB 13 **Hazardous Waste and Nonhazardous Solid Waste Fee and Tax Amendments** E. Anderson
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- HB 14 **Repeal of Education Mandates** M. Dayton
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Effective Date: 5/3/2004
- HB 15 **Motor Vehicles Title and Registration Amendments** J. Murray
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- HB 16 **Life Insurance Law Amendments** J. Dunnigan
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Effective Date: 5/3/2004
- HB 17 **Captive Insurance Companies Act Amendments** J. Dunnigan
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- HB 18 **Utah State Scenic Byway Committee** J. Dougall
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- HB 19 **Employment Support Act Amendments** D. Cox
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Effective Date: 5/3/2004
- HB 20 **Construction Bonding Statutes** M. Morley
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| HB 21 | Licensing – Insurance Law Amendments Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | J. Dunnigan |
| HB 22 | Civic and Character Education in Schools Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | L. Christensen |
| HB 23 | Joint Transportation Planning Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | R. Lockhart |
| HB 24 | Motor Vehicles Code Revisions Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | J. Murray |
| HB 25 | Governmental Internet Information Privacy Act Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 26 | Parent–time Schedule Amendments House/ filed on 2/20/2004 | S. Daniels |
| HB 27 | Tax Commission Report – Federal Tax Law Changes Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 28 | Transportation Planning Task Force Reauthorization Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | R. Lockhart |
| HB 29 | Utah Telehealth Commission Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | B. Dee |
| HB 30 | Amendments to Administrative Services Rate Committee Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | D. Clark |

- HB 31 **Information Technology Procurement Amendments** D. Clark
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- HB 32 **Lien Amendments** M. Morley
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Effective Date: 5/3/2004
- HB 33 **Authorization to Close a Meeting** G. Curtis
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- HB 34 **Unlawful Controlled Substances in
Correctional Facilities** L. Christensen
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- HB 35 **Requirements of Trustees of Trust Deeds** D. Clark
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- HB 36 **Management, Enhancement, and Funding
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- HB 38 **Sales and Use Tax – Repeal of Cable and
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- HB 39 **Special Functions Officers for the Division of
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- HB 40 **Filling Midterm Vacancies in the Legislature** C. Frank
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Effective Date: 5/3/2004

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| HB 41 | Health Insurance Coverage for Dependents Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | J. Buffmire |
| HB 42 | Interest Rates on Judgments Senate/ to House on 3/3/2004 | J. Dunnigan |
| HB 43 | No Child Left Behind Options House/ filed on 3/3/2004 | M. Dayton |
| HB 44 | Use of Public Education Monies House/ enacting clause struck on 3/3/2004 | P. Jones |
| HB 45 | Individual Income Tax Amendments for Education Funding House/ enacting clause struck on 3/3/2004 | P. Jones |
| HB 46 | Appropriation for School Districts Impacted by Fee Waivers House/ filed on 2/20/2004 | L. Shurtliff |
| HB 47 | School Vending Machine Sales House/ enacting clause struck on 2/10/2004 | P. Jones |
| HB 48 | Collection of Information by Department of Health Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | D. Hogue |
| HB 49 | Natural Gas Technician Certification Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | G. Snow |
| HB 50 | Automobile Crime Prevention House/ failed on 2/10/2004 | D. Bowman |
| HB 51 | Nonresident User Fee for Off-highway Vehicle Users Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | D. Bowman |

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| HB 52 | Individual Deferred Annuities – Nonforfeiture Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | J. Dunnigan |
| HB 53 | Additional State Retirement Benefit House/ filed on 3/3/2004 | L. Shurtliff |
| HB 54 | Videotape of Minors Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | W. Harper |
| HB 55 | School and Institutional Trust Land Amendments Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | M. Noel |
| HB 56 | Local Government Collection for Service Charges Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | S. Mascaro |
| HB 57 | Amendments to Budgetary Procedures Act Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | J. Seitz |
| HB 58 | Trust Lands Administration Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | D. Bowman |
| HB 59 | Lien for Homeowner Association Charges House/ filed on 3/3/2004 | S. Mascaro |
| HB 60 | Protection of Children in Foster Care Governor Signed on 3/16/2004 Effective Date: 5/3/2004 | D. Litvack |
| HB 61 | Child Welfare Investigations Governor Signed on 3/18/2004 Effective Date: 7/1/2004 | M. Thompson |
| HB 62 | Lien Recovery Fund Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | R. Webb |

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| HB 63 | Identification of Stolen Firearms House/ enacting clause struck on 3/3/2004 | J. Buffmire |
| HB 64 | Amendments to Local Option Sales Tax Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | S. Allen |
| HB 65 | Tuition Waiver for Purple Heart Recipients Governor Signed on 3/18/2004 Effective Date: 7/1/2004 | G. Hughes |
| HB 66 | State Spending and Debt Limitations Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | G. Hughes |
| HB 67 | Cultural Affairs Task Force House/ filed on 3/3/2004 | S. Allen |
| HB 68 | Criminal Penalty Amendment House/ enacting clause struck on 3/3/2004 | D. Litvack |
| HB 69 | Pharmaceutical Cost Reduction Amendments House/ enacting clause struck on 3/3/2004 | R. McGee |
| HB 70 | Geriatric Care Managers Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | R. Lockhart |
| HB 71 | Water Conservation Plans Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | J. Buffmire |
| HB 72 | Release of Claims on Behalf of a Minor Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | J. Dougall |
| HB 73 | Pattern of Unlawful Activity Act Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | T. McCartney |

- HB 74 **Extension of Sales and Use Tax Exemption
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- HB 75 **Industrial Assistance Fund Amendments** D. Clark
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- HB 76 **Mobile Home Park Residency Act Amendments** C. Duckworth
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- HB 77 **Felony Assault Amendments** C. Frank
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- HB 78 **School Land Trust Program Restricted Account** D. Clark
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- HB 79 **Right to Display Flag At Personal Residence** C. Duckworth
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- HB 80 **Wildlife License Agents – Penalties for Violations** B. Last
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- HB 81 **Criminal Law Intent Amendment** T. McCartney
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- HB 82 **Virtual Visitation Amendments** D. Aagard
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- HB 83 **State Retirement – Funded Ratio** A. Hardy
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 84 **State School Board Candidates** D. Cox
House/ failed on 2/13/2004

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| HB 85 | Health Insurance Mandate Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | R. Lockhart |
| HB 86 | Primary Care Network Amendments Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | K. Holdaway |
| HB 87 | Divorce and Custody Proceedings House/ enacting clause struck on 3/3/2004 | J. Biskupski |
| HB 88 | State Land Use Management Plans Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | B. Johnson |
| HB 89 | Special Group License Plate Amendments House/ enacting clause struck on 3/3/2004 | M. Morley |
| HB 90 | Access to Child Welfare Hearings Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | M. Morley |
| HB 91 | Utah Administrative Rulemaking Act Amendments House/ filed on 3/3/2004 | W. Harper |
| HB 92 | Brucellosis Vaccination Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | B. Johnson |
| HB 93 | DNA Reimbursement Costs Governor Signed on 3/19/2004 Effective Date: 3/19/2004 | J. Adams |
| HB 94 | Health Insurance Pool Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | C. Bennion |
| HB 95 | Clarification of Dependent Health Care Coverage Amendments Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | T. Kiser |

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| HB 96 | Statute of Repose Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Adams |
| HB 97 | Protective Order Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | K. Holdaway |
| HB 98 | Eligibility for Interscholastic Athletics House/ enacting clause struck on 3/3/2004 | A. Hardy |
| HB 99 | Common Interest Ownership Act House/ enacting clause struck on 3/3/2004 | D. Hogue |
| HB 100 | School Professional Development Days Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | B. Last |
| HB 101 | Mental Health Services Coordinator House/ enacting clause struck on 3/3/2004 | D. Hogue |
| HB 102 | Residential Mortgage Practices Amendments House/ enacting clause struck on 3/3/2004 | E. Hutchings |
| HB 103 | Special District for Police Services House/ failed on 2/13/2004 | T. McCartney |
| HB 104 | Filing and Perfecting of Water Rights House/ enacting clause struck on 3/3/2004 | B. Johnson |
| HB 105 | Continuing Education for Contractors Governor Signed on 3/15/2004 Effective Date: 7/1/2005 | J. Adams |
| HB 106 | Health Insurance Act Amendments Governor Signed on 3/23/2004 Effective Date: 3/23/2004 | J. Dunnigan |
| HB 107 | Appropriation to Meet Highly Qualified Teacher Standards House/ enacting clause struck on 3/3/2004 | K. Holdaway |

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| HB 108 | Insurance and Retirement for Charter School Employees Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | M. Newbold |
| HB 109 | Legal Presence Provisions House/ enacting clause struck on 3/3/2004 | M. Thompson |
| HB 110 | Educator Licensing Amendments House/ enacting clause struck on 3/3/2004 | D. Cox |
| HB 111 | Local Government Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 112 | Enrollment Growth Program Amendments House/ enacting clause struck on 3/3/2004 | B. Last |
| HB 113 | Nonresident Tuition Waiver for Job Corps Students House/ filed on 3/3/2004 | L. Shurtliff |
| HB 114 | Money Management Act Amendments Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | D. Clark |
| HB 115 | Carson Smith Special Needs Scholarships Governor Vetoed on 3/23/2004 | J. Philpot |
| HB 116 | Facilities with Regional Impact Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | R. Becker |
| HB 117 | Individual Income Tax – Treatment of Certain Military Income House/ filed on 3/3/2004 | D. Peterson |
| HB 118 | Brand Inspection Amendments House/ filed on 3/3/2004 | D. Ure |

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| HB 119 | Fencing Responsibilities with Greenbelt or Conservation Easement Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | D. Ure |
| HB 120 | Child Welfare Funding for In-home Services Governor Signed on 3/17/2004 Effective Date 5/3/2004 | M. Thompson |
| HB 121 | Code of Criminal Procedure Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | J. Seitz |
| HB 122 | Private Investigator Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | M. Dayton |
| HB 123 | Drug Lab Cleanup and Disclosure Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | D. Litvack |
| HB 124 | Small Claims Court Jurisdiction Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | S. Urquhart |
| HB 125 | County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities Amendments Governor Signed on 3/18/2004 Effective Date: 7/1/2004 | T.Kiser |
| HB 126 | Teacher Classifications Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | R. Bigelow |
| HB 127 | Certified Medication Aide House/ enacting clause struck on 3/3/2004 | R. Lockhart |
| HB 128 | Amendments to Operating Under the Influence Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | D. Love |

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| HB 129 | Child Protection Team Meetings House/ filed on 3/3/2004 | C. Bennion |
| HB 130 | Kindergarten Assessment Requirements House/ enacting clause struck on 3/3/2004 | K. Morgan |
| HB 131 | Eminent Domain Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | B. Ferry |
| HB 132 | Driver License Amendments House/ enacting clause struck on 3/3/2004 | D. Ure |
| HB 133 | Property Tax – Veteran’s Exemption Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | D. Bush |
| HB 134 | Provision for Paramedics in Cities of Counties of the Second Class House/ enacting clause struck on 3/3/2004 | A. Hardy |
| HB 135 | Notification of School District of Violent Offense by a Student Governor Signed on 3/17/2004 Effective Date: 7/1/2003 | M. Lawrence |
| HB 136 | Electronic Filing of Preliminary Lien Documents Governor Signed on 3/22/2004 Effective Date: 5/1/2005 | M. Morley |
| HB 137 | Campaign Finance Disclosure in Municipal Elections House/ filed on 3/3/2004 | J. Dougall |
| HB 138 | Trespassing on State Park Lands Governor Signed on 3/17/2004 Effective Date: 7/1/2004 | S. Allen |
| HB 139 | Evidence Amendments House/ filed on 3/3/2004 | J. Murray |

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| HB 140 | Child and Family Services and Related Judicial Code Amendments Governor Vetoed on 3/23/2004 | L. Christensen |
| HB 141 | Abortion Law Amendments House/ enacting clause struck on 3/3/2004 | J. Philpot |
| HB 142 | Audit Requirements for Political Subdivisions Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | B. Ferry |
| HB 143 | Special License Plates House/ enacting clause struck on 3/3/2004 | C. Duckworth |
| HB 144 | Special License Plate – Springville High Booster Club House/ enacting clause struck on 3/3/2004 | C. Bird |
| HB 145 | Approval Required for Disposal of Radioactive Waste Governor Signed on 3/23/2004 Effective Date: 3/23/2004 | S. Urquhart |
| HB 146 | County Cooperative Agreements with State or Fire Protection Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | C. Buttars |
| HB 147 | Municipal Code Condemnation Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | L. Christensen |
| HB 148 | Optometry Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | B. Last |
| HB 149 | New Automobile Franchise Act Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | G. Curtis |
| HB 150 | Workers' Compensation – Fire Department Employees House/ filed on 3/3/2004 | J. Murray |

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| HB 151 | Protective Custody of Abused, Neglected, or Dependent Children House/ enacting clause struck on 3/3/2004 | E. Hutchings |
| HB 152 | Charter School Governance Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | M. Dillree |
| HB 153 | Commercial Driver License Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | C. Bird |
| HB 154 | State and Local Government Planning House/ enacting clause struck on 3/3/2004 | C. Buttars |
| HB 155 | State Fair Amendments House/ enacting clause struck on 3/3/2004 | C. Buttars |
| HB 156 | Changes to State Government House/ enacting clause struck on 3/3/2004 | K. Bryson |
| HB 157 | Transportation Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Dougall |
| HB 158 | Water Shares in a Municipal Water Company Governor Vetoed on 3/23/2004 | G. Hughes |
| HB 159 | Economic Development House/ enacting clause struck on 3/3/2004 | C. Bennion |
| HB 160 | Mortgage Act Amendments Governor Signed on 3/22/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 161 | Law Enforcement Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | C. Moss |
| HB 162 | Municipal Election Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | J. Dougall |

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| HB 163 | Residential Mortgage Practices – Employment Security Revisions House/ enacting clause struck on 3/3/2004 | S. Urquhart |
| HB 164 | Resident Tuition Status for National Guard Members Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | B. King |
| HB 165 | Child Protection Registry Governor Signed on 3/23/2004 Effective Date: 7/1/2005 | M. Styler |
| HB 166 | Concealed Firearm Permit Amendments House/ filed on 2/19/2004 | D. Hogue |
| HB 167 | Public Service Commission – Regulation of Cable Companies House/ enacting clause struck on 3/3/2004 | D. Hogue |
| HB 168 | Individual Income Tax and Corporate Franchise and Income Tax Task Force Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 169 | Mail Theft Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | M. Thompson |
| HB 170 | Office of the Attorney General Responsibilities House/ filed on 3/3/2004 | K. Bryson |
| HB 171 | Insurance Fraud Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | J. Ferrin |
| HB 172 | Insurance Liquidation Law Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | J. Ferrin |
| HB 173 | Liability Insurance for Contractors – Monitoring System House/ enacting clause struck on 3/3/2004 | M. Morley |

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| HB 174 | Forensic Mental Health Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | J. Seitz |
| HB 175 | Process for Filling Midterm Vacancies in the Legislature House/ filed on 3/3/2004 | W. Harper |
| HB 176 | Child Restraint Safety Devices House/ enacting clause struck on 3/3/2004 | C. Moss |
| HB 177 | Interference with School Activities House/ enacting clause struck on 3/3/2004 | B. Last |
| HB 178 | Motor Vehicle Purchase Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | D. Bush |
| HB 179 | Vulnerable Adult Abuse Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | P. Jones |
| HB 180 | Death Penalty Provisions Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | S. Allen |
| HB 181 | Fluorine Cost Requirements House/ filed on 3/3/2004 | M. Morley |
| HB 182 | Construction Lien Amendments Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | S. Clark |
| HB 183 | Conditions for Release after Notice Regarding Arrest for Domestic Violence Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | P. Wallace |
| HB 184 | Voyeurism Amendments Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | B. Goodfellow |

- HB 185 **Law Enforcement – Reporting Hazardous Materials Relating to Controlled Substances** E. Hutchings
House/enacting clause struck on 3/3/2004
- HB 186 **Evaluation and Counseling Prior to Termination Proceedings** M. Thompson
Governor Signed on 3/18/2004
Effective Date: 3/15/2004
- HB 187 **Viatical Settlement Act** J. Dunnigan
Governor Signed on 3/17/2004
Effective Date: 5/3/2004
- HB 188 **Donation of Surplus Computers to Persons with a Disability** C. Bird
Governor Signed on 3/23/2004
Effective Date: 3/15/2004
- HB 189 **Tobacco Compliance Amendments** D. Hogue
Governor Signed on 3/15/2004
Effective Date: 5/3/2004
- HB 190 **Restricting Wireless Telephone Use for School Bus Drivers** N. Hendrickson
House/ filed on 2/20/2004
- HB 191 **Corporate Franchise and Income Tax Amendments** G. Snow
Governor Signed on 3/15/2004
Effective Date: 5/3/2004
- HB 192 **Repeal of Thrifts Settlement Financing Provisions** G. Curtis
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 193 **Commission on Criminal and Juvenile Justice** M. Lawrence
Governor Signed on 3/19/2004
Effective Date: 5/3/2004
- HB 194 **Commission on Criminal and Juvenile Justice Membership** R. McGee
House/ enacting clause struck on 3/3/2004

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| HB 195 | Consumer Protection Amendments Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | S. Allen |
| HB 196 | Safety Inspection and Emission Amendments House/ enacting clause struck on 3/3/2004 | W. Harper |
| HB 197 | Limit on Child Welfare Recommendations and Rulings Governor Signed on 3/23/2004 Effective Date: 3/15/2004 | M. Thompson |
| HB 198 | Child Welfare Court Reports Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | M. Thompson |
| HB 199 | Disruption of Activities in or Near School Building Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | C. Moss |
| HB 200 | Recognition of Foreign Adoptions Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | W. Harper |
| HB 201 | Traffic Signal Preemption Device Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | J. Dougall |
| HB 202 | Mail Order Tobacco Sales Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | E. Hutchings |
| HB 203 | Special Group License Plate Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | D. Hogue |
| HB 204 | Public Utilities Revisions Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | G. Curtis |
| HB 205 | State Settlement Agreements Amendments Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | W. Harper |

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| HB 206 | Constitutional Defense Council Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | M. Noel |
| HB 207 | Health Insurance Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | R. Lockhart |
| HB 208 | Regulation of Motorized Scooters House/ enacting clause struck on 3/3/2004 | B. Dee |
| HB 209 | Licensing of Plumbing and Electrical Trades Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | S. Clark |
| HB 210 | Law Enforcement Employee Background Checks Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | L. Pace |
| HB 211 | Renewal of Fishing License Governor Signed on 3/23/2004 Effective Date: 12/1/2005 | J. Philpot |
| HB 212 | Traffic Accident Response House/ filed on 3/3/2004 | E. Hutchings |
| HB 213 | Changes to Investment Advisory Committee Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | D. Clark |
| HB 214 | School and Institutional Trust Lands – Clarifying References to Rules and Policies Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | J. Gowans |
| HB 215 | Building Standards Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | J. Adams |
| HB 216 | Internet Privacy Act House/ enacting clause struck on 3/3/2004 | W. Harper |

- HB 217 **Changes to Division of Facilities and Construction Management Contract Procedures and Requirements** W.Harper
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 218 **Private Health Insurance – Waiver of Health Condition** C. Bennion
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 219 **Construction Bond Amendments** M. Morley
Governor Signed on 3/17/2004
Effective Date: 5/3/2004
- HB 220 **Off-highway Vehicle Amendments** B. Goodfellow
Governor Signed on 3/23/2004
Effective Date: 7/1/2004
- HB 221 **Use of Credit Information for Insurance** P. Wallace
House/ enacting clause struck on 3/3/2004
- HB 222 **Robbery Amendments** C. Frank
Governor Signed on 3/17/2004
Effective Date: 5/3/2004
- HB 223 **State School Board Candidate Selection Committees** K. Morgan
House/ filed on 3/3/2004
- HB 224 **Repeal of Public Education Amendments** J. Buffmire
House/ enacting clause struck on 3/3/2004
- HB 225 **Provision for Emergency Medical Services** P. Wallace
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 226 **Legislative Approval for Capital Projects** D. Ure
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 227 **Midwife Certification Act** J. Biskupski
House/ filed on 3/3/2004

- HB 228 **Sale, Exchange, or Donation of Real Property
by State Agencies** D. Ure
House/ filed on 3/3/2004
- HB 229 **Public Utility Easements** R. Webb
Governor Signed on 3/15/2004
Effective Date: 5/3/2004
- HB 230 **Property Tax Levy for Education** M. Styler
House/ filed on 2/26/2004
- HB 231 **Review and Approval of Federal Monies
Received by the State** C. Bennion
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 232 **Water Well Amendments** D. Peterson
Governor Signed on 3/18/2004
Effective Date: 5/3/2004
- HB 233 **Grazing Permit Fee Amendments** E. Anderson
Governor Signed on 3/22/2004
Effective Date: 5/3/2004
- HB 234 **Sunset Extension on Unauthorized Practice of Law** S. Urquhart
Governor Signed on 3/15/2004
Effective Date: 5/3/2004
- HB 235 **Turkey Hunting Permits** D. Buxton
Governor Signed on 3/15/2004
Effective Date: 5/3/2004
- HB 236 **Families, Agencies, and Communities
Together Amendments** D. Litvack
House/ filed on 3/3/2004
- HB 237 **Department of Corrections – Therapy
Provider Qualifications** D. Bourdeaux
Governor Signed on 3/19/2004
Effective Date: 5/3/2004

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| HB 249 | Nursing Care Facility Medicaid Certification Amendments Governor Signed on 3/19/2004 Effective Date: 7/1/2004 | R. Lockhart |
| HB 250 | Property and Casualty Insurance Law Amendments Governor Signed on 3/17/2004 Effective Date 5/3/2004 | T. Kiser |
| HB 251 | Radio Frequency Identification – Right to Know Act House/ filed on 3/3/2004 | D. Hogue |
| HB 252 | Calculation of Property Tax Levies Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | M. Newbold |
| HB 253 | Retirement Office Amendments Governor Signed on 3/17/2004 Effective Date: 7/1/2004 | A. Hardy |
| HB 254 | Solid Waste Landfill Amendments House/ filed on 3/3/2004 | D. Buxton |
| HB 255 | Wildlife Restitution Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | R. Barrus |
| HB 256 | Expansion of Economic Development Webpage Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | S. Allen |
| HB 257 | Electro Shock Therapy Amendments House/ enacting clause struck on 3/3/2004 | K. Bryson |
| HB 258 | Prohibiting Cell Phone Use for New Drivers House/ enacting clause struck on 3/3/2004 | C. Moss |
| HB 259 | Special Needs Adoption – Replacement Evaluations Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | A. Hardy |

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| HB 260 | Tobacco Fund Allocation Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Seitz |
| HB 261 | Gift Certificates – Eliminating Expiration Date House/ filed on 3/3/2004 | T. McCartney |
| HB 262 | Penalties for Providing False or Misleading Information in Court Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Alexander |
| HB 263 | State Retirement System Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | B. King |
| HB 264 | Improving Mental Health Services to the Deaf and Hard-of-hearing Task Force House/ enacting clause struck 3/3/2004 | D. Hogue |
| HB 265 | Designation of Commemorative Days Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | D. Bush |
| HB 266 | Revisions to Child Welfare House/ filed on 3/3/2004 | W. Harper |
| HB 267 | Utah Pharmaceutical Insurance Program House/ enacting clause struck on 3/3/2004 | D. Hogue |
| HB 268 | Child Welfare Processes Governor Signed on 3/23/2004 Effective Date: 7/1/2004 | M. Thompson |
| HB 269 | Changing Statutory Presumption House/ enacting clause struck on 3/3/2004 | C. Bennion |
| HB 270 | Residence Requirements for Driver License Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | M. Noel |

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| HB 271 | Tuition Tax Credits House/ enacting clause struck on 3/3/2004 | J. Ferrin |
| HB 272 | Health Insurance Act – Rate Limitations House/ enacting clause struck on 3/3/2004 | J. Dunnigan |
| HB 273 | Tax and Charge Amendments Governor Signed on 3/22/2004 Effective Date: 7/1/2004 | W. Harper |
| HB 274 | Municipal Weed Abatement House/ filed on 3/3/2004 | M. Morley |
| HB 275 | Adoption Amendments Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | A. Hardy |
| HB 276 | Adoption Law Revisions Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | R. McGee |
| HB 277 | Insurance Amendments – Licensing for Sales of Annuities House/ enacting clause struck on 3/3/2004 | M. Newbold |
| HB 278 | Oversight of Mortgage Regulation House/ enacting clause struck on 3/3/2004 | J. Philpot |
| HB 279 | Counterfeit Tobacco Products Governor Signed on 3/19/2004 Effective Date: 7/1/2004 | E. Hutchings |
| HB 280 | Respect Choice – Special Group License Plates House/ enacting clause struck on 3/3/2004 | R. McGee |
| HB 281 | Toxic Mold Disclosure House/ failed on 3/1/2004 | D. Hogue |
| HB 282 | Utility Regulation House/ enacting clause struck on 3/3/2004 | K. Bryson |

- HB 283 **Department of Agriculture and Food Amendments** D. Ure
Governor Signed on 3/23/2004
Effective Date: 5/3/2004
- HB 284 **Special Group License Plate for Children At Risk** L. Christensen
House/ enacting clause struck on 3/3/2004
- HB 285 **Limits on Challenges to Moderate Income Housing Plans** J. Dougall
House/ enacting clause struck on 3/3/2004
- HB 286 **State Railroad Museum License Plates** J. Murray
House/ enacting clause struck on 3/3/2004
- HB 287 **Government Records Access and Management Act Revisions** D. Aagard
House/ enacting clause struck on 3/3/2004
- HB 288 **Process for Submitting Opinion Question to Ballot** R. Becker
House/ enacting clause struck on 3/3/2004
- HB 289 **Alcoholic Beverage Amendments Related to Minors** L. Pace
Governor Signed on 3/19/2004
Effective Date: 5/3/2004
- HB 290 **State Employee Compensation Study Task Force** M. Newbold
House/ filed on 3/3/2004
- HB 291 **Safe Drinking Water Act Amendments** G. Donnelson
House/ enacting clause struck on 3/3/2004
- HB 292 **Vehicle Franchise Amendments** B. Last
Governor Signed on 3/17/2004
Effective Date: 5/3/2004
- HB 293 **Repeal of National Guard Efficiency Boards** J. Ferrin
Governor Signed on 3/23/2004
Effective Date: 5/3/2004

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| HB 294 | Purchase of Firearms Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Ferrin |
| HB 295 | Issuance of Concealed Firearm Permits Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | J. Ferrin |
| HB 296 | Workers' Compensation Fund Task Force House/ enacting clause struck on 3/3/2004 | D. Ure |
| HB 297 | Use of Local Education Property Tax Revenues House/ enacting clause struck on 3/3/2004 | J. Ferrin |
| HB 298 | Residence Lien Recovery Fund Amendments House/ filed on 3/3/2004 | S. Clark |
| HB 299 | Teacher Accrual of Continuing Education Requirements House/ enacting clause struck on 3/3/2004 | E. Hutchings |
| HB 300 | Victim Reparations Amendments House/ enacting clause struck on 3/3/2004 | E. Hutchings |
| HB 301 | Voter Registration Amendments Governor Signed on 3/19/2004 Effective Date: 1/1/2005 | M. Thompson |
| HB 302 | Voluntary Contribution Act Amendments Governor Signed on 3/19/2004 Effective Date: 5/3/2004 | M. Styler |
| HB 303 | Child Welfare Revisions Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | S. Mascaro |
| HB 304 | Procurement Code Amendments – Recycling House/ enacting clause struck on 3/3/2004 | B. Ferry |
| HB 305 | State Government Revisions House/ enacting clause struck on 3/3/2004 | D. Ure |

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| HB 306 | Property Tax Relief House/ filed on 3/3/2004 | L. Christensen |
| HB 307 | Oversight of High School Activities Association House/ enacting clause struck on 3/3/2004 | D. Bourdeaux |
| HB 308 | Vehicle Restraint System Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | C. Frank |
| HB 309 | Process for Nonbinding Opinion Question to be Referred to Voters House/ enacting clause struck on 3/3/2004 | S. Mascaro |
| HB 310 | Child Support Amendments House/ filed on 3/3/2004 | K. Bryson |
| HB 311 | Redevelopment Agency Amendments House/ enacting clause struck on 3/3/2004 | J. Adams |
| HB 312 | Nonparticipating Tobacco Manufacturer's Fee Governor Signed on 3/19/2004 Effective Date: 7/1/2004 | D. Ure |
| HB 313 | Redevelopment Agency Revisions House/ enacting clause struck on 3/3/2004 | J. Gowans |
| HB 314 | Consumer Protection Revisions House/ filed on 3/3/2004 | J. Dougall |
| HB 315 | Local Option Sales and Use Tax Amendments House/ enacting clause struck on 3/3/2004 | J. Dougall |
| HB 316 | Recall Election Process House/ enacting clause struck on 3/3/2004 | D. Hogue |
| HB 317 | Study on Immigration Issues and Considerations House/ enacting clause struck on 3/3/2004 | D. Litvack |
| HB 318 | Uniform Statewide Fees for Certain Tangible Personal Property House/ filed on 3/1/2004 | C. Bennion |

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| HB 319 | Utah College of Applied Technology Lease Approval Requirements House/ enacting clause struck on 3/3/2004 | L. Pace |
| HB 320 | Transferability of Credits among Higher Education Institutions Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | B. Johnson |
| HB 321 | Motor Vehicle Registration Revisions House/ filed on 2/27/2004 | C. Bennion |
| HB 322 | Golf Carts Allowed on Certain Highways House/ filed on 3/3/2004 | C. Moss |
| HB 323 | Spyware Regulation Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | S. Urquhart |
| HB 324 | Safe Drinking Water Act Amendment House/ filed on 3/3/2004 | B. Last |
| HB 325 | Motor Vehicle Insurance Amendment Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | C. Bennion |
| HB 326 | Driving Under the Influence Penalties House/ enacting clause struck on 3/3/2004 | D. Love |
| HB 327 | Impounded Vehicles Amendments House/ filed on 3/3/2004 | E. Hutchings |
| HB 328 | Revenue Bond and Capital Facilities Authorizations Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | L. Pace |
| HB 329 | Income Tax Credit for Donations to School District Foundations House/ enacting clause struck on 3/3/2004 | D. Bush |

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| HB 330 | Allocation of Tobacco Fund Amendments Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | D. Peterson |
| HB 331 | Choice in Health Care House/ enacting clause struck on 3/3/2004 | K. Bryson |
| HB 332 | Veterans Special Group License Plate Amendments Governor Signed on 3/15/2004 Effective Date: 10/1/2004 | S. Mascaro |
| HB 333 | Signage on Highways House/ enacting clause struck on 3/3/2004 | C. Buttars |
| HB 334 | System of Care Pilot Program House/ enacting clause struck on 3/3/2004 | M. Noel |
| HB 335 | Penalty for Using Fake Identification Governor Signed on 3/15/2004 Effective Date: 5/3/2004 | B. Goodfellow |
| HB 336 | Claims on Real Property Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | G. Hughes |
| HB 337 | Public Service Commission – Consideration of Wireless Providers House/ enacting clause struck on 3/3/2004 | S. Urquhart |
| HB 338 | Bottle Bill Amendments House/ enacting clause struck on 3/3/2004 | T. McCartney |
| HB 339 | Motor Vehicle Title Requirements House/ enacting clause struck on 3/3/2004 | T. Kiser |
| HB 340 | Clarification of Use of Acupuncture House/ enacting clause struck on 3/3/2004 | D. Ure |
| HB 341 | Children’s Internet Protection Act Governor Signed on 3/18/2004 Effective Date: 5/3/2004 | M. Noel |

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| HB 342 | Gun Show Background Check House/ enacting clause struck on 3/3/2004 | S. Daniels |
| HB 343 | Practice Permit Requirement Amendments Governor Signed on 3/19/2004 Effective Date: 7/1/2004 | R. Barrus |
| HB 344 | General Government Changes House/ enacting clause struck on 3/3/2004 | B. King |
| HB 345 | Earned Income Tax Credit House/ filed on 3/3/2004 | J. Biskupski |
| HB 346 | Individual Income Tax Contributions Amendments House/ enacting clause struck on 3/3/2004 | S. Mascaro |
| HB 347 | State Highway Designation Changes Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | M. Styler |
| HB 348 | Privacy Amendments House/ filed on 3/3/2004 | M. Thompson |
| HB 349 | Department of Agriculture and Food Audit Requirements Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | C. Buttars |
| HB 350 | Consumer Access to Prescription Drug Pricing Data House/ enacting clause struck on 3/3/2004 | D. Ure |
| HB 351 | Task Force Studying Private Sector Approaches to Covering the Uninsured House/ enacting clause struck on 3/3/2004 | S. Mascaro |
| HB 352 | Inheritance Tax Act Amendments House/ enacting clause struck on 3/3/2004 | B. Goodfellow |
| HB 353 | Public Transportation District Board Amendments House/ enacting clause struck on 3/3/2004 | G. Curtis |

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| HB 354 | Salvage Vehicle Amendments House/ enacting clause struck on 3/3/2004 | G. Curtis |
| HB 355 | Child Support Collections House/ enacting clause struck on 3/3/2004 | J. Philpot |
| HB 356 | Halt Utah's Participation in Matrix House/ enacting clause struck on 3/3/2004 | J. Philpot |
| HB 357 | Continuing Education for Real Estate Professionals Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | J. Adams |
| HB 358 | Amendments to Access to Health Care Providers Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | B. Dee |
| HB 359 | Use of Mineral Lease Monies by Utah State Fair House/ enacting clause struck on 3/3/2004 | C. Buttars |
| HB 360 | Property Tax Exemption House/ enacting clause struck on 3/3/2004 | J. Ferrin |
| HB 361 | Adoption Agency Fees Task Force House/ enacting clause struck on 3/3/2004 | S. Daniels |
| HB 362 | Local Human Services Act House/ enacting clause struck on 3/3/2004 | J. Seitz |
| HB 363 | Government Efficiency and Effectiveness Review Committee House/ enacting clause struck on 3/3/2004 | P. Wallace |
| HB 364 | Profits from Sale of Crime Memorabilia Governor Signed on 3/23/2004 Effective Date: 5/3/2004 | S. Daniels |
| HB 365 | Disclosure of State Employees' Compensation and Benefits Governor Signed on 3/17/2004 Effective Date: 7/1/2004 | R. Bigelow |

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| HB 366 | Repeal of Exemption from Nonresident Tuition House/ enacting clause struck on 3/3/2004 | G. Donnelson |
| HB 367 | Participation Allowed in State Employee Insurance System House/ enacting clause struck on 3/3/2004 | D. Clark |
| HB 368 | Task Force on Legislative Reform House/ enacting clause struck on 3/3/2004 | J. Philpot |
| HB 369 | Utah Retirement Fund Investments House/ enacting clause struck on 3/3/2004 | P. Wallace |
| HB 370 | Tourism Tax Advisory Board Governor Signed on 3/17/2004 Effective Date: 5/3/2004 | T. Kiser |
| HCR 1 | Resolution Urging Open Space along Jordan River Trail Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | T. Kiser |
| HCR 2 | Individuals with Disabilities Education Act Resolution Governor Signed on 3/12/2003 Effective Date: 3/12/2004 | K. Holdaway |
| HCR 3 | Resolution Urging Protection of United States from Weapons of Mass Destruction Governor Signed on 3/15/2004 Effective Date: 3/15/2004 | C. Bennion |
| HCR 4 | Resolution Encouraging Lifetime and Retirement Savings Accounts Governor Signed on 3/23/2004 Effective Date: 3/23/2004 | C. Bennion |
| HCR 5 | Resolution Urging Federal Tax Cuts to Be Made Permanent and a Reduction in the Federal Deficit Governor Signed on 3/23/2004 Effective Date: 3/23/2004 | C. Bennion |

- HCR 6 **Resolution Opposing Internet Access Taxes** C. Bennion
Governor Declined to Sign on 3/23/2004
- HCR 7 **Resolution Recognizing Legislators Back
to School Week** K. Holdaway
Governor Signed on 3/12/2004
Effective Date: 3/12/2004
- HCR 8 **Resolution Promoting Reading Readiness by
Encouraging Utah Citizens to Read with a Child
20 Minutes a Day** K. Holdaway
House/ filed on 3/3/2004
- HCR 9 **No Child Left Behind Resolution** K. Holdaway
House/ enacting clause struck on 3/3/2004
- HCR 10 **Resolution Recognizing National Conference
of State Legislatures Annual Meeting in
Salt Lake City** D.Hogue
Governor Signed on 3/16/2004
Effective Date: 3/16/2004
- HCR 11 **Resolution on Higher Education Remedial Classes** M. Dillree
Governor Signed on 3/16/2004
Effective Date: 3/16/2004
- HCR 12 **Education Resolution** M. Dayton
House/ enacting clause struck on 3/3/2004
- HCR 13 **Western Legends Roundup Resolution** M. Noel
Governor Signed on 2/25/2004
Effective Date: 2/25/2004
- HCR 14 **Resolution Recognizing Dugway Proving Ground,
Tooele Army Depot, Deseret Chemical Depot,
Utah National Guard, and UnitedStates
Military Reserves** E. Anderson
House/ to Governor on 2/20/2004
Effective Date: 2/20/2004
- HCR 15 **Resolution Recognizing Military Appreciation Week** J. Adams
Governor Signed on 3/16/2004
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- HCR 16 **Resolution Urging Retirement System Support of Economic Development** P. Wallace
House/ enacting clause 3/3/2004
- HJR 1 **Resolution Amending Dates of Annual Legislative Session** S. Mascaro
House/ enacting clause struck on 3/3/2004
- HJR 2 **Resolution of Legislative Support for Music and Other Fine Arts Programs in Public Schools** R. Bigelow
House/ toLieutenant Governor on 3/11/2004
Effective Date: 2/5/2004
- HJR 3 **Resolution Urging Congress to Consider Withdrawing the United States from the United Nations** D. Bush
House/enacting clause struck on 3/3/2004
- HJR 4 **Joint Rules Resolution – Appropriation Process Revisions** W. Harper
House/ filed on 3/3/2004
- HJR 5 **Joint Rules Resolution – Appropriation Subcommittee Meetings** K. Morgan
House/ filed on 2/23/2004
- HJR 6 **Resolution Amending Joint Rules Regarding Long Title** B. Ferry
House/ to Lieutenant Governor on 3/11/2004
- HJR 7 **Joint Rules Resolution – Resolutions Amendments** M. Dillree
House/ to Lieutenant Governor on 3/10/2004
- HJR 8 **Resolution Authorizing the Legislature to Call Itself into Session** C. Bennion
House/ filed on 3/3/2004
- HJR 9 **Resolution Supporting Efforts to End Homelessness** D. Clark
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- HJR 10 **Joint Resolution Reaffirming the State of Utah’s Commitment to the Constitution and the Bill of Rights** S. Allen
House/filed on 3/3/2004

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| Approval Required for Disposal of Radioactive Waste, Urquhart, S. | HB 145 (P) |
| Brownfield Properties – Amendments, Wright, B. | SB 180 (F) |
| Drug Lab Cleanup and Disclosure, Litvack, D. | HB 123 (P) |
| Hazardous Waste and Nonhazardous Solid Waste Fee and Tax Amendments, Anderson, E. | HB 13 (P) |
| Law Enforcement – Reporting Hazardous Materials Relatin to Controlled Substances, Hutchings, E. | HB 185 (F) |
| Toxic Mold Disclosure, Hogue, D. | HB 281 (F) |
| Waste Amendments, Valentine, J. | SB 246 (F) |

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| Access to Rural Health Care Providers, Blackham, L. | SB 29 (P) |
| Amendments to Access to Health Care Providers, Dee, B. | HB 358 (P) |

- Amendments to Prescribing, Preparation, and Dispensing of
 Prescription Drugs, Knudson, P. SB 114 (P)
- Amendments to the Utah Comprehensive
 Health Insurance Pool, Davis, G. SB 164 (F)
- Center for Multicultural Health, Evans, J. SB 135 (P)
- Certified Medication Aide, Lockhart, R. HB 127 (F)
- Child Care Centers Regulations, Hellewell, P. SB 44 (P)
- Choice in Health Care, Bryson, K. HB 331 (F)
- Clarification of Dependent Health Care Coverage
 Amendments, Kiser, T. HB 95 (P)
- Collection of Information by Department of Health, Hogue, D. HB 48 (P)
- Confidentiality of Drug Testing, Julander, P. SB 125 (P)
- Consumer Access to Prescription Drug Pricing Data, Ure, D. HB 350 (F)
- Counterfeit Tobacco Products, Hutchings, E. HB 279 (P)
- County Mental Health Amendments, Davis, G. SB 155 (P)
- Defining Practice of Chiropractic Physician, Buttars, D. C. SB 249 (P)
- Electro Shock Therapy Amendments, Bryson, K. HB 257 (F)
- Emergency Medical Service Provider Amendments, Jenkins, S. SB 91 (P)
- Geriatric Care Managers, Lockhart, R. HB 70 (P)
- Health Care Facility Licensing Exemption, Hickman, J. SB 70 (P)
- Health Care Malpractice – Dispute Resolution, Mayne, E. SB 226 (F)
- Health Insurance – Contraceptive Equity Amendments, Julander, P. SB 197 (F)
- Health Insurance Act – Rate Limitations, Dunnigan, J. HB 272 (F)
- Health Insurance Act Amendments, Dunnigan, J. HB 106 (P)
- Health Insurance Amendments, Lockhart, R. HB 207 (P)
- Health Insurance Coverage for Dependents, Buffmire, J. HB 41 (P)
- Health Insurance Mandate Amendments, Lockhart, R. HB 85 (P)
- Health Insurance Pool, Bennion, C. HB 94 (P)
- Health Provider Reimbursement Amendments, Hellewell, P. SB 216 (F)
- Improving Mental Health Services to the Deaf and
 Hard-of-hearing Task Force, Hogue, D. HB 264 (F)
- Insurance Code Exemption, Bell, G. SB 14 (P)
- Long-term Care Facilities Amendments, Blackham, L. SB 128 (P)
- Mail Order Tobacco Sales Amendments, Hutchings, E. HB 202 (P)
- Maternity Health Care, Mayne, E. SB 221 (F)
- Medicaid Amendments, Julander, P. SB 244 (F)
- Medical Arbitration Agreement Amendments, Hellewell, P. SB 117 (F)
- Medical Benefits Recovery Act Amendments, Killpack, S. SB 30 (P)
- Medical Dispute Resolution Amendments, Blackham, L. SB 245 (P)
- Medical Neglect – Exclusion, Thomas, D. SB 90 (F)
- Mental Health Professional Practice Act Amendments, Buttars, D. C. SB 86 (P)

- Mental Health Services Coordinator, Hogue, D. HB 101 (F)
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 Nurse Practice Act Amendments, Julander, P. SB 189 (F)
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 Prohibiting Partial Birth Abortion, Allen, R. SJR 3 (F)
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 Covering the Uninsured, Mascaro, S. HB 351 (F)
 Tobacco Compliance Amendments, Hogue, D. HB 189 (P)
 Tobacco Fund Allocation Amendments, Seitz, J. HB 260 (P)
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 Choice in Health Care, Bryson, K. HB 331 (F)
 Health Care Facility Licensing Exemption, Hickman, J. SB 70 (P)
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- Advanced Practice Registered Nurse Modifications, Knudson, P. . . SB 107 (P)
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 Health Provider Reimbursement Amendments, Hellewell, P. SB 216 (F)

- Medical Arbitration Agreement Amendments, Hellewell, P. SB 117 (F)
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 Primary Care Network Amendments, Holdaway, K. HB 86 (P)
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 Nonresident Tuition Waiver for Job Corps Students, Shurtliff, L. . . HB 113 (F)
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 in Higher Education, Bush, D. HB 6 (P)
 Resident Tuition Status for National Guard Members, King, B. . . . HB 164 (P)
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- Golf Carts Allowed on Certain Highways, Moss, C. HB 322 (F)
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- Common Interest Ownership Act, Hogue, D. HB 99 (F)
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- Home Inspection – Action Against Inspector, Julander, P. SB 28 (F)
 Lien for Homeowner Association Charges, Mascaro, S. HB 59 (F)
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 Built Housing Units, Bramble, C. SB 171 (P)
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- Abortion Law Amendments, Philpot, J. M. HB 141 (F)
 Abuse, Neglect, and Dependency Amendments, Hellewell, P. SB 105 (F)
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 Adoption Amendments, Hardy, A. HB 275 (P)
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 Child Protection Team Meetings, Bennion, C. HB 129 (F)
 Child Removal Amendments, Hellewell, P. SB 103 (F)
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 Child Welfare Funding for In-home Services, Thompson, M. HB 120 (P)
 Child Welfare Investigations, Thompson, M. HB 61 (P)
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 Compliance of Treatment Plan, Hellewell, P. SB 188 (F)
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 a Disability, Bird, C. HB 188 (P)

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- Termination Proceedings, Thompson, M. HB 186 (P)
- Expedited Appeals in Child Welfare Cases, Hillyard, L. SB 179 (P)
- Families, Agencies, and Communities Together
 - Amendments, Litvack, D. HB 236 (F)
 - Forensic Mental Health Amendments, Seitz, J. HB 174 (P)
 - Human Services Licensing Amendments, Buttars, D. C. SB 140 (F)
 - Jury Trial for Termination of Parental Rights, Wright, B. SB 56 (F)
- Limit on Child Welfare Recommendations and
 - Rulings, Thompson, M. HB 197 (P)
- Local Human Services Act, Seitz, J. HB 362 (F)
- Management of Guardians Ad Litem by Administrative
 - Office of the Courts, Hatch, T. SB 211 (F)
- Medical Neglect – Exclusion, Thomas, D. SB 90 (F)
- Partial Birth Abortion Amendments, Bramble, C. SB 69 (P)
- Prohibition of Public Funding for Abortion, Bramble, C. SB 68 (P)
- Protection of Children in Foster Care, Litvack, D. HB 60 (P)
- Protective Custody of Abused, Neglected, or
 - Dependent Children, Hutchings, E. HB 151 (F)
- Recognition of Foreign Adoptions, Harper, W. HB 200 (P)
- Restructuring Division of Child and Family Services, Hellewell, P. SB 54 (F)
- Revisions to Child Welfare, Harper, W. HB 266 (F)
- Selection of Mental Health Therapist in Termination of
 - Parental Rights, Hellewell, P. SB 104 (P)
- Special Needs Adoption – Preplacement Evaluations, Hardy, A. HB 259 (P)
- System of Care Pilot Program, Noel, M. HB 334 (F)
- Uniform Parentage Act, Hillyard, L. SB 45 (F)
- Vulnerable Adult Abuse Amendments, Jones, P. HB 179 (P)

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- Corporate Franchise and Income Tax Amendments, Snow, G. HB 191 (P)
- Earned Income Tax Credit, Biskupski, J. HB 345 (F)
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- Individual Income Tax – Earned Income Tax Credit, Hatch, T. SB 238 (F)
- Individual Income Tax – Nonresident Income
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- Individual Income Tax – Treatment of Certain Military
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- Individual Income Tax Amendments for Education Funding, Jones, P. HB 45 (F)

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| Individual Income Tax Contributions Amendments, Mascaro, S. . . | HB 346 (F) |
| Individual Income Tax Contributions for Education, Thomas, D. . . | SB 109 (P) |
| Motor Vehicles – Clean Air Discounts, Davis, G. | SB 213 (F) |
| Revenue and Taxation – Offenses and Penalties, Bigelow, R. | HB 240 (P) |
| Tax Commission Report – Federal Tax Law Changes, Harper, W. . . | HB 27 (P) |
| Tuition Tax Credits, Ferrin, J. | HB 271 (F) |
| Uniform Statewide Fees for Certain Tangible Personal Property, Bennion, C. | HB 318 (F) |

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| Designation of American Indian Heritage Month and an Indigenous People Day, Evans, B. | SB 67 (P) |
| School and Institutional Trust Lands – Clarifying References to Rules and Policies, Gowans, J. | HB 214 (P) |

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| Individual Deferred Annuities – Nonforfeiture Amendments, Dunnigan, J. | HB 52 (P) |
| Insurance Amendments – Licensing for Sales of Annuities, Newbold, M. | HB 277 (F) |
| Insurance Amendments – Loss Histories and Inquiries, Hatch, T. . . . | SB 52 (P) |
| Insurance Fraud Amendments, Ferrin, J. | HB 171 (P) |
| Insurance Law Revisions, Ferrin, J. | HB 245 (P) |

Insurance Liquidation Law Amendments, Ferrin, J. HB 172 (P)
 Interstate Insurance Product Regulation – Compact, Valentine, J. SB 162 (P)
 Licensing – Insurance Law Amendments, Dunnigan, J. HB 21 (P)
 Life Insurance Law Amendments, Dunnigan, J. HB 16 (P)
 Property and Casualty Insurance Law Amendments, Kiser, T. HB 250 (P)
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 Insurance Fraud Amendments, Ferrin, J. HB 171 (P)
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 Health Insurance – Contraceptive Equity Amendments, Julander, P. SB 197 (F)
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 Health Insurance Act Amendments, Dunnigan, J. HB 106 (P)
 Health Insurance Coverage for Dependents, Buffmire, J. HB 41 (P)
 Health Insurance Mandate Amendments, Lockhart, R. HB 85 (P)
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 Private Health Insurance – Waiver of Health Condition, Bennion, C. HB 218 (P)
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- Adoption of Uniform Juvenile Compact, Gladwell, D. SB 174 (F)
- Amendments to Justice Court Operations, Mayne, E. SB 219 (P)
- Amendments to Warrants, Hellewell, P. SB 126 (F)
- Authorization to Perform Marriages, Walker, C. SB 157 (P)
- Child and Family Services and Related Judicial
 - Code Amendments, Christensen, L. HB 140 (P)
- Child Support Amendments, Bryson, K. HB 310 (F)
- Claims on Real Property, Hughes, G. HB 336 (P)
- Commission on Criminal and Juvenile Justice
 - Membership, McGee, R. HB 194 (F)
- Concealed Firearm Amendments, Hale, K. SB 227 (F)
- Concealed Firearm Permit Amendments, Hogue, D. HB 166 (F)
- Conditions for Release after Notice Regarding Arrest
 - for Domestic Violence, Wallace, P. HB 183 (P)
- Court Fee Adjustments, Gladwell, D. SB 196 (P)
- Court Reporter Amendments, Hillyard, L. SB 123 (P)
- Criminal Penalty Amendment, Litvack, D. HB 68 (F)
- Divorce and Custody Proceedings, Biskupski, J. HB 87 (F)
- Evidence Amendments, Murray, J. HB 139 (F)
- Identification of Stolen Firearms, Buffmire, J. HB 63 (F)
- Indigent Defense Funds Amendments, Blackham, L. SB 212 (F)
- Interest Rates on Judgments, Dunnigan, J. HB 42 (F)
- Interstate Compact for Adult Offender Supervision –
 - Application Fee, Hale, K. SB 137 (P)
- Issuance of Concealed Firearm Permits Amendments, Ferrin, J. HB 295 (P)
- Judicial Conduct Commission, Waddoups, M. SB 161 (P)
- Judicial Confirmation Process Amendments, Buttars, D. C. SB 150 (P)
- Judiciary Amendments, Hillyard, L. SB 118 (P)
- Jury Trial for Termination of Parental Rights, Wright, B. SB 56 (F)
- Management of Guardians Ad Litem by Administrative
 - Office of the Courts, Hatch, T. SB 211 (F)
- Marriage Preparation Education, McGee, R. HB 07 (F)
- Marriage Recognition Policy, Buttars, D. C. SB 24 (P)
- Medical Arbitration Agreement Amendments, Hellewell, P. SB 117 (F)
- New Judge – Second District Court, Bell, G. SB 141 (P)
- Notification of Court Action to Noncustodial Parent, Stephenson, H. SB 186 (F)
- Parent–time Schedule Amendments, Daniels, S. HB 26 (F)
- Party to Felony Offense Enhancement, Waddoups, M. SB 84 (P)
- Payment of Claims on Deceased Settlor’s Estate, Valentine, J. SB 122 (P)
- Profits from Sale of Crime Memorabilia, Daniels, S. HB 364 (P)

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| Prohibition of Obesity Lawsuits, Stephenson, H. | SB 214 (P) |
| Protective Order Amendments, Holdaway, K. | HB 97 (P) |
| Punitive Damages Amendments, Hillyard, L. | SB 201 (P) |
| Purchase of Firearms Amendments, Ferrin, J. | HB 294 (P) |
| Release of Claims on Behalf of a Minor, Dougall, J. | HB 72 (P) |
| Small Claims Court Jurisdiction Amendments, Urquhart, S. | HB 124 (P) |
| Statute of Repose, Adams, J. S. | HB 96 (P) |
| Stay of Execution Amendments, Thomas, D. | SB 62 (P) |
| Sunset Extension on Unauthorized Practice of Law, Urquhart, S. | HB 234 (P) |
| Transportation of Children for Parent–time, Arent, P. | SB 12 (P) |
| Uniform Interstate Family Support Act, Hillyard, L. | SB 136 (P) |
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| Utah Exemption Code Amendments, Gladwell, D. | SB 42 (P) |
| Validity of Marriage Licenses, Davis, G. | SB 142 (P) |
| Victim Restitution Amendments, Bell, G. | SB 167 (P) |
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| Notification of School District of Violent Offense by a Student, Lawrence, M. S. | HB 135 (P) |

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| Industrial Assistance Fund Amendments, Clark, D. | HB 75 (P) |
| Liability Insurance for Contractors – Monitoring System, Morley, M. | HB 173 (F) |
| Residential Mortgage Practices – Employment Security Revisions, Urquhart, S. | HB 163 (F) |
| Uninsured Employers’ Fund Amendments, Mayne, E. | SB 83 (P) |
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| Mobile Home Park Residency Act, Mayne, E. | SB 33 (P) |
| Toxic Mold Disclosure, Hogue, D. | HB 281 (F) |

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- Airport Security Amendments, Evans, J. SB 233 (P)
- Arson Offense Amendments, Arent, P. SB 38 (P)
- Automobile Crime Prevention, Bowman, D. HB 50 (F)
- Bail Bond Reinstatement Amendments, Bell, G. SB 173 (P)
- Capital Punishment Amendments – Excluded Days, Valentine, J. SB 80 (P)
- Code of Criminal Procedure Amendments, Seitz, J. HB 121 (P)
- Commission on Criminal and Juvenile Justice, Lawrence, M. S. HB 193 (P)
- Competency to Be Executed – Amendments, Gladwell, D. SB 49 (P)
- Controlled Substances Act Amendments, Julander, P. SB 160 (P)
- Criminal Law Intent Amendment, McCartney, T. HB 81 (P)
- Criminal Offense Amendments, Bell, G. SB 158 (P)
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- Death Penalty Amendments, Allen, R. SB 25 (F)
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- Department of Corrections – Therapy Provider
- Qualifications, Bourdeaux, D. HB 237 (P)
- Disruption of Activities in or Near School Building, Moss, C. HB 199 (P)
- DNA Reimbursement Costs, Adams, J. S. HB 93 (P)
- Drug Lab Cleanup and Disclosure, Litvack, D. HB 123 (P)
- Drug Offenders Reform Act, Buttars, D. C. SB 21 (F)
- Escape Amendments, Hatch, T. SB 73 (P)
- Felony Assault Amendments, Frank, C. HB 77 (F)
- Gun Show Background Check, Daniels, S. HB 342 (F)
- Hate Crime Amendments, Evans, J. SB 41 (F)
- Identity Theft Amendments, Walker, C. SB 16 (P)
- Interference with School Activities, Last, B. HB 177 (F)
- Law Enforcement – Reporting Hazardous Materials Relating
- to Controlled Substances, Hutchings, E. HB 185 (F)
- Law Enforcement Amendments, Moss, C. HB 161 (P)
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- Law Enforcement Overtime Fund, Evans, J. SB 218 (F)
- Loan Transactions Amendments, Waddoups, M. SB 192 (P)
- Mail Theft Amendments, Thompson, M. HB 169 (P)
- Notification of School District of Violent Offense
- by a Student, Lawrence, M. S. HB 135 (P)
- Penalties for Providing False or Misleading
- Information in Court, Alexander, J. HB 262 (P)
- Prevention of Child Access to Firearms, Julander, P. SB 36 (F)
- Profits from Sale of Crime Memorabilia, Daniels, S. HB 364 (P)
- Prohibition of Cross Burning on Property, Hansen, N. HB 246 (F)

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| Prosecution Jurisdiction Amendment, Evans, B. | SB 119 (P) |
| Protection of Private Lawfully Obtained Property, Buttars, D. C. . . | SB 175 (P) |
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| Robbery Amendments, Frank, C. | HB 222 (P) |
| Safeguarding Personal Information, Waddoups, M. | SB 127 (F) |
| Sexually Explicit Business and Escort Service Tax, Bourdeaux, D. | HB 239 (P) |
| Stay of Execution Amendments, Thomas, D. | SB 62 (P) |
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| Appropriations Act, Blackham, L. | SB 01 (P) |
| Authorization to Close a Meeting, Curtis, G. | HB 33 (F) |
| Clog America Resolution, Goodfellow, B. | HJR 13 (P) |
| Concurrent Resolution Approving Solid Waste Permit, Hatch, T. . . | SCR 1 (P) |
| Filling Midterm Vacancies in the Legislature, Frank, C. | HB 40 (P) |
| Fluorine Cost Requirements, Morley, M. | HB 181 (F) |
| House Resolution Regarding No Child Left Behind, Holdaway, K. . . | HR 8 (F) |
| House Rules Resolution – Access to House Floor, Bigelow, R. | HR 1 (P) |
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| Reading of Bills, Dayton, M. | HR 4 (P) |
| House Rules Resolution – Limit on Gifts, Becker, R. | HR 3 (F) |
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| to Be Open, Daniels, S. | HR 10 (F) |
| Joint Resolution Reaffirming the State of Utah’s Commitment to the | |
| Constitution and the Bill of Rights, Allen, S. | HJR 10 (F) |
| Joint Resolution Regarding No Child Left Behind, Holdaway, K. . . | HJR 22 (F) |
| Joint Rules Resolution – Appropriation Subcommittee | |
| Meetings, Morgan, K. | HJR 5 (F) |
| Joint Rules Resolution – Fiscal Note Process | |
| Amendments, Hillyard, L. | SJR 4 (P) |
| Judicial Confirmation Process Amendments, Buttars, D. C. | SB 150 (P) |
| Master Study Resolution, Waddoups, M. | SJR 10 (P) |
| No Child Left Behind Resolution, Holdaway, K. | HCR 9 (F) |

- Process for Filling Midterm Vacancies in the
Legislature, Harper, W. HB 175 (F)
- Resolution Amending Dates of Annual Legislative
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- Resolution Approving Compensation of In-session
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- Resolution Demanding State's Participation in Matrix
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- Resolution Reappointing Legislative Fiscal Analyst, Knudson, P. SJR 1 (P)
- Resolution Recognizing Legislators Back to School
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- Resolution Recognizing National Conference of State Legislatures
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- Resolution Recognizing Sugar House Sesquicentennial, Davis, G. SJR 7 (P)
- Resolution Regarding Construction of Waste Facility, Wright, B. SCR 2 (P)
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- Resolution Urging Congress to Consider Withdrawing the
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- Senate Rules Resolution – Fiscal Notes, Hillyard, L. SR 3 (P)
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- Utah Athletic Foundation Joint Resolution, Evans, B. SJR 8 (F)
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- Lien for Homeowner Association Charges, Mascaro, S. HB 59 (F)
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- Joint Transportation Planning Amendments, Lockhart, R. HB 23 (P)
- Legal Presence Provisions, Thompson, M. HB 109 (F)
- Motor Vehicle Insurance Amendment, Bennion, C. HB 325 (P)
- Motor Vehicle Insurance Enforcement Amendments, Blackham, L. SB 210 (F)
- Motor Vehicle Purchase Amendments, Bush, D. HB 178 (P)
- Motor Vehicle Registration Revisions, Bennion, C. HB 321 (F)
- Motor Vehicle Title Requirements, Kiser, T. HB 339 (F)
- Motor Vehicles – Clean Air Discounts, Davis, G. SB 213 (F)
- Motor Vehicles Code Revisions, Murray, J. HB 24 (P)
- Motor Vehicles Title and Registration Amendments, Murray, J. HB 15 (P)
- New Automobile Franchise Act, Curtis, G. HB 149 (P)
- Nonresident User Fee for Off-highway Vehicle Users, Bowman, D. HB 51 (P)
- Off-highway Vehicle Amendments, Goodfellow, B. HB 220 (P)
- Off-highway Vehicle Registration Provisions, Hatch, T. SB 166 (P)
- Penalty for Using Fake Identification, Goodfellow, B. HB 335 (P)
- Practice Permit Requirement Amendments, Barrus, R. HB 343 (P)
- Prohibiting Cell Phone Use for New Drivers, Moss, C. HB 258 (F)
- Property Tax – Outdoor Advertising, Waddoups, M. SB 177 (P)
- Public Transit District Amendments, Evans, J. SB 170 (P)
- Public Transportation District Board Amendments, Curtis, G. HB 353 (F)
- Regulation of Motorized Scooters, Dee, B. HB 208 (F)
- Residence Requirements for Driver License, Noel, M. HB 270 (P)
- Resolution Urging a Study on Statewide Uniform Fees
Imposed on Motor Homes, Shurtliff, L. HJR 11 (F)
- Respect Choice – Special Group License Plates, McGee, R. HB 280 (F)
- Restricting Wireless Telephone Use for School
Bus Drivers, Hendrickson, N. HB 190 (F)
- Restrictions on Use of Unmarked Police Vehicles, Hickman, J. SB 130 (F)
- Safety Belt Enforcement, Hale, K. SB 71 (F)
- Safety Inspection and Emission Amendments, Harper, W. HB 196 (F)
- Salvage Vehicle Amendments, Curtis, G. HB 354 (F)

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| Signage on Highways, Buttars, C. | HB 333 (F) |
| Special Group License Plate, Hogue, D. | HB 203 (P) |
| Special Group License Plate Amendments, Morley, M. | HB 89 (F) |
| Special Group License Plate for Children At Risk, Christensen, L. . . | HB 284 (F) |
| Special License Plate – Springville High Booster Club, Bird, C. . . | HB 144 (F) |
| Special License Plates, Duckworth, C. | HB 143 (F) |
| Standard of Care for Emergency Vehicle Drivers, Blackham, L. . . . | SB 232 (P) |
| State Highway Designation Changes, Styler, M. | HB 347 (P) |
| State Highway System Changes, Dougall, J. | HB 10 (P) |
| State Railroad Museum License Plates, Murray, J. | HB 286 (F) |
| State Road Designation, Valentine, J. | SB 217 (F) |
| Traffic Accident Response, Hutchings, E. | HB 212 (F) |
| Traffic Signal Preemption Device, Dougall, J. | HB 201 (P) |
| Transportation Amendments, Dougall, J. | HB 157 (P) |
| Transportation Construction Amendments, Eastman, D. | SB 223 (P) |
| Transportation Corridor Preservation Amendments, Hickman, J. . . | SB 148 (F) |
| Transportation General Obligation Bond, Eastman, D. | SB 248 (P) |
| Transportation of Children for Parent–time, Arent, P. | SB 12 (P) |
| Transportation Planning Task Force Reauthorization, Lockhart, R. . | HB 28 (P) |
| Undocumented Workers Driver License Revisions, Hickman, J. . . . | SB 242 (F) |
| Uninsured and Underinsured Motorist Coverage, Eastman, D. . . . | SB 225 (P) |
| Utah State Scenic Byway Committee, Dougall, J. | HB 18 (P) |
| Vehicle Franchise Amendments, Last, B. | HB 292 (P) |
| Vehicle Restraint System Amendments, Frank, C. | HB 308 (P) |
| Veterans Special Group License Plate Amendments, Mascaro, S. . . | HB 332 (P) |

TRANSPORTATION COMMISSION

| | |
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| Guidelines for Local Matching Dollars for Transportation Projects, Walker, C. | SB 11 (P) |
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TRAVEL AND TOURISM

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| Funding for Tourism, Knudson, P. | SB 208 (F) |
| Sports Development, Tourism Promotion, and Tourism, Recreation, Cultural, Convention, and Sports Facilities Tax Amendments, Waddoups, Tourism Tax Advisory Board, Kiser, T. | HB 370 (P) |
| Utah State Scenic Byway Committee, Dougall, J. | HB 18 (P) |

TRUST LANDS

| | |
|--|------------|
| Grazing Permit Fee Amendments, Anderson, E. | HB 233 (P) |
| School and Institutional Trust Land Amendments, Noel, M. | HB 55 (P) |

- School and Institutional Trust Lands – Clarifying References to
 Rules and Policies, Gowans, J. HB 214 (P)
- School Land Trust Program Restricted Account, Clark, D. HB 78 (P)
- Trust Lands Administration, Bowman, D. HB 58 (P)

TRUSTS

- Uniform Trust Code, Hillyard, L. SB 47 (P)

TRUSTS AND ESTATES

- Requirements of Trustees of Trust Deeds, Clark, D. HB 35 (P)

UNEMPLOYMENT COMPENSATION

- Employment Security Modifications, Jenkins, S. SB 5 (P)
- Unemployment Insurance Amendments, Stephenson, H. SB 202 (P)
- Unemployment Insurance Benefits – Social Security
 Benefits Offset, Cox, D. HB 8 (P)

UNIFORM FEES

- Uniform Statewide Fees for Certain Tangible
 Personal Property, Bennion, C. HB 318 (F)

UNIFORM LAWS

- Common Interest Ownership Act, Hogue, D. HB 99 (F)
- Uniform Interstate Family Support Act, Hillyard, L. SB 136 (P)
- Uniform Parentage Act, Hillyard, L. SB 45 (F)
- Uniform Principal and Income Act, Hillyard, L. SB 131 (P)
- Uniform Trust Code, Hillyard, L. SB 47 (P)

UNIFORM PROBATE CODE

- Payment of Claims on Deceased Settlor’s Estate, Valentine, J. SB 122 (P)
- Uniform Trust Code, Hillyard, L. SB 47 (P)

UTAH HIGHWAY PATROL

- Restrictions on Use of Unmarked Police Vehicles, Hickman, J. SB 130 (F)

UTAH MUNICIPAL CODE

- Amendments to Municipal Government, Hatch, T. SB 23 (P)
- Campaign Finance Disclosure in Municipal Elections, Dougall, J. HB 137 (F)
- County and Municipal Zoning Regarding Billboards, Waddoups, M. SB 53 (P)

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| Local Government Amendments, Harper, W. | HB 111 (P) |
| Local Government Boards of Examiners, Evans, J. | SB 153 (F) |
| Local Government Feasibility and Economic Impact Studies, Jenkins, S. | SB 222 (F) |
| Municipal Annexation Provisions in First Class Counties, Arent, P. . . | SB 18 (P) |
| Municipal Code Condemnation Amendments, Christensen, L. | HB 147 (P) |
| Municipal Weed Abatement, Morley, M. | HB 274 (F) |
| Prohibition on Sales and Use Tax Incentive Payments by a County or Municipality, Killpack, S. | SB 124 (P) |
| Rail Corridor Provisions, Bell, G. | SB 7 (F) |
| State Land Use Management Plans, Johnson, B. | HB 88 (P) |
| Telecommunications Amendments, Hickman, J. | SB 66 (P) |

UTAH TECHNOLOGY COMMISSION

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| Utah Telehealth Commission Amendments, Dee, B. | HB 29 (P) |
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UTILITIES SITING

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| Utility Regulation, Bryson, K. | HB 282 (F) |
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VICTIMS' RIGHTS

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| Victim Reparations Amendments, Hutchings, E. | HB 300 (F) |
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WATER AND IRRIGATION

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| Eminent Domain Amendments, Ferry, B. | HB 131 (P) |
| Filing and Perfecting of Water Rights, Johnson, B. | HB 104 (F) |
| Municipal Code Condemnation Amendments, Christensen, L. | HB 147 (P) |
| Safety Requirements for Public Water Systems, Mayne, E. | SB 220 (F) |
| Task Force Studying Water Issues, Styler, M. | HB 247 (P) |
| Water Conservancy Districts Trustees, Stephenson, H. | SB 187 (P) |
| Water Conservation Plans, Buffmire, J. | HB 71 (P) |
| Water Rights Task Force, Styler, M. | HB 243 (F) |
| Water Shares in a Municipal Water Company, Hughes, G. | HB 158 (P) |
| Water Well Amendments, Peterson, D. | HB 232 (P) |

WATER QUALITY

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|---|------------|
| Safe Drinking Water Act Amendment, Last, B. | HB 324 (F) |
| Safe Drinking Water Act Amendments, Donnelson, G. | HB 291 (F) |
| Safety Requirements for Public Water Systems, Mayne, E. | SB 220 (F) |
| Waste Water Amendments, Thomas, D. | SB 151 (F) |

WEAPONS

- Airport Security Amendments, Evans, J. SB 233 (P)
- Concealed Firearm Amendments, Hale, K. SB 227 (F)
- Concealed Firearm Permit Amendments, Hogue, D. HB 166 (F)
- Gun Show Background Check, Daniels, S. HB 342 (F)
- Identification of Stolen Firearms, Buffmire, J. HB 63 (F)
- Issuance of Concealed Firearm Permits Amendments, Ferrin, J. . . . HB 295 (P)
- Notification of School District of Violent Offense
 - by a Student, Lawrence, M. S. HB 135 (P)
- Party to Felony Offense Enhancement, Waddoups, M. SB 84 (P)
- Prevention of Child Access to Firearms, Julander, P. SB 36 (F)
- Purchase of Firearms Amendments, Ferrin, J. HB 294 (P)
- Uniform Firearm Laws, Waddoups, M. SB 48 (P)

WORKERS' COMPENSATION

- Workers' Compensation Access to Medical Records, Alexander, J. HB 238 (P)
- Workers' Compensation Amendments, Bramble, C. SB 165 (F)
- Workers' Compensation Fund Task Force, Ure, D. HB 296 (F)

WORKFORCE SERVICES CODE

- Clarification of Use of Acupuncture, Ure, D. HB 340 (F)
- Construction Services Commission Amendments, Jenkins, S. SB 110 (F)
- Continuing Education for Contractors, Adams, J. S. HB 105 (P)
- Employment Security Modifications, Jenkins, S. SB 5 (P)
- Employment Support Act Amendments, Cox, D. HB 19 (P)
- Outsourcing State Jobs, Blackham, L. SB 199 (P)
- Pattern of Unlawful Activity Act Amendments, McCartney, T. HB 73 (P)
- Unemployment Insurance Amendments, Stephenson, H. SB 202 (P)
- Unemployment Insurance Benefits – Social Security
 - Benefits Offset, Cox, D. HB 8 (P)
- Workers' Compensation – Fire Department Employees, Murray, J. HB 150 (F)

ZONING

- Aerospace and Aviation Development Zone
 - Amendments, Dmitrich, M. SB 74 (F)
- County and Municipal Zoning Regarding Billboards, Waddoups, M. SB 53 (P)
- Facilities with Regional Impact, Becker, R. HB 116 (P)

JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–FIFTH LEGISLATURE
2004 FIRST VETO
OVERRIDE SESSION

Commencing Monday, April 26, 2004
and Ending Monday, April 26, 2004

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2004 First Veto Override Session of the Fifty-Fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Monday, April 26, 2004 and ending on Monday, April 26, 2004.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE JOURNAL
of the
FIFTY-FIFTH LEGISLATURE
of the
STATE OF UTAH
FIRST VETO OVERRIDE SESSION

House Chamber
State Capitol
Salt Lake City, Utah
April 26, 2004

In accordance with a joint proclamation of the members of the Fifty-Fifth Legislature of the State of Utah, the House of Representatives met in a First Veto Override Session in the House Chamber at the State Capitol.

The House was called to order by Speaker Stephens at 2:15 p.m.

Roll call showed all members present except Representatives Becker, Stephen Clark, and Hogue, excused.

Pledge of Allegiance and prayer by Representative Ann Hardy.

MISCELLANEOUS BUSINESS

Senators Eastman, Knudson, and Mayne formally notified the House of Representatives that the Senate was organized and ready to do business.

Speaker Stephens appointed Carole E. Peterson as Chief Clerk and she read the following:

CERTIFICATION

I, GAYLE F. McKEACHNIE, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Call for Legislative Veto Override Session issued under date of April 22nd, 2004, and signed by L. Alma Mansell, President of the Senate, and Martin R. Stephens, Speaker of the Utah House of Representatives is a true and correct copy of the

original Call for Legislative Veto Override Session calling the Fifty–fifth Legislature of the State of Utah into Legislative Veto Override Session at the State Capitol at Salt Lake City, Utah, on the 26th day of April, 2004, at 2:00 p.m., for the purposes named in the call.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah this
26th day of April, 2004.

GAYLE F. McKEACHNIE
Lieutenant Governor

Communication filed.

**STATE OF UTAH
LEGISLATIVE DEPARTMENT**

CALL OF LEGISLATIVE VETO OVERRIDE SESSION

Pursuant to Article VII, Sec. 8 of the Utah Constitution and Utah State Legislative Joint Rule 17, its presiding officers, the Honorable Al Mansell, President of the Utah State Senate, and the Honorable Martin R. Stephens, Speaker of the Utah House of Representatives, have polled the members of the Senate and the House of Representatives, and do hereby call the Utah State Legislature into a Legislative Veto Override Session to convene at 2:00 p.m., April 26, 2004.

Two–thirds of each house voted in favor of convening a Veto Override Session for the purpose of overriding the disapproval by Governor Olene S. Walker of the following bills or items of appropriation passed by the Legislature which adjourned on March 3, 2004, but which were disapproved by the Governor after adjournment, viz:

| | |
|-----------------|---|
| S.B. 115 | SPECIAL ELECTION DATES, Senator, C. Bramble |
| S.B. 239 | UNFAIR BUSINESS PRACTICES, Senator M. Dmitrich |
| H.B. 1 | SUPPLEMENTAL APPROPRIATIONS ACT, Representative R. Bigelow |
| | a. Item 65 |

- H.B. 3** SUPPLEMENTAL APPROPRIATIONS ACT II,
Representative R. Bigelow
a. Item 18
b. Item 30
c. Item 31
d. Item 85
- H.B. 115** CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS,
Representative J. Morgan Philpot
- H.B. 140** CHILD AND FAMILY SERVICES AND RELATED
JUDICIAL CODE AMENDMENTS, Representative L.
Christensen
- H.B. 158** WATER SHARES IN A MUNICIPAL WATER
COMPANY, Representative G. Hughes

AL MANSELL
President
Utah State Senate

MARTIN R. STEPHENS
Speaker
House of Representatives

Communication filed.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to continue with the same organization for the First Veto Override Session as set up and constituted during the 2004 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

On motion of Representative Styler, the House voted to adopt the same House Rules and Joint Rules for the First Veto Override Session as adopted in the Annual General Session of 2004.

On motion of Representative Goodfellow, 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 Philpot, Bush, and Daniels.

On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor and inform Her Excellency that the House is organized and ready to do business.

The Speaker appointed Representatives Pace, Seitz, and McGee.

COMMUNICATION FROM THE LIEUTENANT GOVERNOR

Mr. Speaker: April 26, 2004

Pursuant to your request are the following bills, accompanied by Governor Walker's veto messages, for further consideration during the Legislative Veto Override Session:

- | | |
|-----------------|--|
| H.B. 1 | SUPPLEMENTAL APPROPRIATIONS ACT (Representative R. Bigelow) |
| H.B. 3 | SUPPLEMENTAL APPROPRIATIONS ACT II (Representative R. Bigelow) |
| H.B. 115 | CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS (Representative J. Morgan Philpot) |
| H.B. 140 | CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS (Representative L. Christensen) |
| H.B. 158 | WATER SHARES IN A MUNICIPAL WATER COMPANY (Representative G. Hughes) |

Gayle F. McKeachnie
Lieutenant Governor

Communication filed.

COMMUNICATIONS FROM THE GOVERNOR

Mr. Speaker: April 26, 2004

This is to inform you that on March 23, 2004, I vetoed line item 65 of appropriation in **H.B. 1**, SUPPLEMENTAL APPROPRIATIONS ACT, and have transmitted the bill to the Lieutenant Governor for filing.

Item 65 includes the intent language that "recommends the USOE to contract a review body that has satisfied the Interim Education Committee's RFP process." I am troubled by the legislature issuing an RFP and selecting a vendor in behalf of a state agency.

The founders of our nation rightly recognized the potential for one branch to seek to increase its authority at the expense of another. Human nature being what

it is, the founders provided us with checks and balances. The success of our democracy depends on continuous, unbending allegiance to separation of powers and checks and balances. Because this line item in H.B. 1 takes a small step in the wrong direction, I feel compelled to veto.

I find it unfortunate that the appropriation to the Jean Massieu Charter school is a part of this line item. I hope that the Utah State Office of Education can find non-lapsing funds to assist this school in meeting its needs. However, I feel the separation of powers issue outweighs the appropriation of this money.

I am very supportive of competency-based education and pledge to continue efforts to make it a reality. However, the implementation of competency-based education is a responsibility of the executive branch within the policy guidelines established by the legislature; and

This is to inform you that on March 23, 2004, I vetoed the following line item appropriations in **H.B. 3, SUPPLEMENTAL APPROPRIATIONS ACT II**, and have transmitted the bill to the Lieutenant Governor for filing.

“Item 18 To Department of Administrative Services – Purchasing

The Legislature intends that all departments and divisions, except for the division of Juvenile Justice Services, in state government be encouraged to contract with private non-state governmental entities to provide services to the citizens of the State of Utah. The Legislature further intends that a report be presented to the Executive Appropriation Committee in October 2004 on the extent that departments and divisions used private non-state governmental entities to provide services to the citizens of Utah. The Legislature also intends that the report describe (1) additional services that the departments and divisions reasonably believe could be delivered by private non-state governmental entities, and (2) which services cannot be delivered by private non-state governmental entities.”

The scope of this language is very broad. It is unclear if the intent is to contract for program services, or go so far as to look at employee leasing as an alternative to hiring employees. The Division of Purchasing does not have the staff nor the resources to coordinate such a report without additional funding.

I agree that departments and divisions should constantly review their operations to identify cost savings and to promote efficiencies. The Privatization Board also exists to review services provided by the state that could be contracted with the private sector. If areas of concern exist, the Privatization Board should review them and make recommendations for change.

“Item 30 To Department of Commerce – Commerce General Regulation
From General Fund Restricted – Commerce Service Fund – Public Utilities
Regulatory Fund

Schedule of Programs:

| | |
|--------------------------------|------------|
| Public Utilities | 150,000 |
| Committee of Consumer Services | (150,000)” |

The Legislature intends that the Division of Public Utilities use these funds to assess the impact of Public Service Commission decisions on Utah’s business climate.

“Item 31 To Public Service Commission
From General Fund Restricted – Commerce Service Fund – Public Utilities
Regulatory Fund

Schedule of Programs:

| | |
|--------------------------------|--------|
| Committee of Consumer Services | 20,000 |
| | 20,000 |

The Legislature intends that these funds be used to pay for the annual telecommunications report.”

The offsets to these items were deleted with a floor amendment. This action makes the technical change to clean up these items.

“Item 85 To State Board of Education – State Office of Education
From Uniform School Fund, One–time

Schedule of Programs:

| | |
|---------------------|-----------|
| Student Achievement | 1,000,000 |
| | 1,000,000 |

It is the intent of the Legislature that the USOE use this one–time appropriation to contract with a private entity which meets the qualifications of the RFP approved by the Education Interim Committee. It is further the intent of the Legislature that this funding be used strictly to implement the proposal in the school districts, and not for software program development.”

I am troubled by the legislature issuing a RFP and selecting a vendor in behalf of a state agency. The founders of our nation rightly recognized the potential for one branch to seek to increase its authority at the expense of another. Human nature being what it is, the founders provided us with checks and balances. The success of our democracy depends on continuous, unbending allegiance to separation of powers and checks and balances. Because this line item in H.B. 3 takes a small step in the wrong direction, I feel compelled to veto.

I am very supportive of competency–based education and pledge to continue efforts to make it a reality. However, the implementation of competency–based

education is a responsibility of the executive branch with the policy guidelines established by the legislature.

While I am not vetoing “Item 82 To Department of Administrative Services – Finance Mandated” which calls for a legislative tuition tax credit study, I am not happy that this money is appropriated to an executive branch department. If the legislature chooses to conduct a study, it should appropriate the funds to the Legislative Fiscal Analyst’s or Legislative Research and General Counsel’s office. Money appropriated to the executive branch should not be mandated and controlled by the legislature. Again, this is a separation of powers issue; and

This is to inform you that on March 23, 2004, I decided, after careful consideration and study, to veto **H.B. 115**, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, and have transmitted it to the lieutenant governor for filing.

I am very sympathetic to the families of special needs children. I want to see that special needs children receive the educational assistance they need, and so I have left the \$1.4 million funding intact for the Legislature to re-authorize. I have asked the State School Board to set up a system to contract with special needs providers. This will accomplish the educational objectives of the bill for special needs children.

Unfortunately, **H.B. 115** raises constitutional questions, federal law compliance and funding issues that I cannot allow to become law.

The attached legal analysis outlines two constitutional questions. First, the use of Uniform School Fund money for Utah State Board of Education (USBE) administration of the program appears to be a violation of Utah Const., Art. X, Sec. 5(4). Second, the bill places USBE as the oversight body for a program of private schools and private school students without designating the schools or programs as part of the public education system. This raises serious questions concerning the constitutional role and authority of the USBE.

Parents who place their child in a private school normally give up the rights and safeguards afforded them by the federal Individuals With Disabilities Education Act (IDEA). However, due to the extensive involvement of the USBE in the program created by HB 115, it is unclear to what extent IDEA rights and safeguards will apply to those students who receive a scholarship and attend a private school. Should it be determined that IDEA law does apply, multiple unanswered questions concerning administration and funding of the program are raised.

The bill creates a three year entitlement for a student when a scholarship is awarded. However, the bill provided only one-time funding for fiscal year 2005.

Language in the bill states that, "The legislature shall annually appropriate money to the board from the General Fund to make scholarship payments." These provisions imply ongoing funding requirements for a future Legislature; and

This is to inform you that on March 23, 2004, I decided, after careful consideration and study, to veto **H.B. 140, CHILD AND FAMILY SERVICES AND RELATED JUDICIAL CODE AMENDMENTS**, and have transmitted it to the Lieutenant Governor for filing.

While I appreciate the concerns and concepts expressed in **H.B. 140**, I believe the bill has several technical flaws and should be further developed before becoming law. Significant questions and confusions linger about some of the major policy changes made in this bill. For example, I am particularly concerned about the new provisions having to do with a "mature minor". If this bill becomes law, it risks opening the door for minors, contrary to their parents' wishes, to seek judicial approval for health care decisions such as access to abortion, contraceptives, or other treatments. Such a major policy change deserves full and thorough discussion in an open public hearing before being added to the laws of our state.

There are a number of other concerns as well. The Judicial Council has pointed out that the bill now creates conflicting language as to the timing and manner for a judge to appoint the guardian ad litem. Such confusion has the potential to delay important court processes. The Judicial Council has also stressed that the bill purports to define the ethical responsibilities of attorneys, a function that constitutionally belongs to the Supreme Court. Serious questions have also been raised as to provisions allowing one party to influence the legal representation of another party the way this bill does. In addition, **H.B. 140** may create new costs for the Juvenile Court, but provides no funding to pay for them.

Given the importance of these issues relative to the child welfare system in Utah, I strongly encourage the legislature to grapple with these topics during the next few months through either committees or its normal audit process. I appreciate Representative Christensen's efforts and concerns on these issues and pledge the full cooperation of the executive branch in seeking continuous improvement in the state's child welfare system; and

This is to inform you that on March 23, 2004, I vetoed **H.B. 158, WATER SHARES IN A MUNICIPAL WATER COMPANY**, and have transmitted it to the lieutenant governor for filing.

There is no reasonable basis for a statute that only applies to mutual water companies operated in counties of the first class. This bill would have the effect of

allowing an exemption from Public Service Commission regulation, mutual water companies in Salt Lake County and exposing all other mutual water companies in the rest of the state to regulation. The cost of this regulation both to the state and to the water companies is excessive for the benefit derived.

If the bill were to be signed, the Public Service Commission would likely forbear enforcement of the bill for one year until they could get clarifications from the Legislature because of the inequities and uncertainties that would be created.

The Public Service Commission does not have the resources to regulate all the mutual water companies outside of Salt Lake County; and

This letter is to inform you that on March 23, 2004, I declined to concur on **House Concurrent Resolution 6**, and transmitted it to the Lieutenant Governor for filing.

The resolution calls for a permanent moratorium on internet access fees which is contrary to my position on this issue and the position of the National Governors' Association and most of the other state and local government associations of elected officials.

This resolution advocates that Congress pass legislation to permanently preempt the states' ability to tax and to choose their own economic policies.

The federal bill referenced in this resolution would change the definition of telecommunications and if enacted would damage the existing revenues of the state and local governments.

I will support a bill that would impose a temporary moratorium on internet access fees if the bill provides for a solution to the long-standing issue of collection of use tax by remote sellers; and

This is to inform you that on March 23, 2004, I vetoed **S.B. 115**, SPECIAL ELECTION DATES, and have transmitted the bill to the Lieutenant Governor for filing.

The intention of **Senate Bill 115** is to increase voter turn-out for special elections, which is commendable. General obligation bond elections dominated the discussion concerning this bill. However, the provisions of this bill extend beyond bond elections. It applies to any special election.

Limiting special elections to one date in both June and November severely limits the financial flexibility of local governments. It is conceivable that mid-year budget pressures could force a school district, for example, to seek a

voted leeway to keep its budget in balance. Election dates in June are too late in the fiscal year and November dates may be too early in the fiscal year to realize the need for additional revenues. The only mid-year alternative is to cut teachers.

The state generally defers to locally elected governments as to matters particularly pertinent to the local community including locally levied taxes and bond issues. This bill attempts to come between these governments and their own citizens.

Just as the state dislikes federal mandates, we need to carefully consider the mandates we place on local governments. I believe this bill interjects the state's will on local governments and limits their ability to meet their own needs in a prudent manner; and

This is to inform you that on March 23, 2004, I vetoed **S.B. 239**, UNFAIR BUSINESS PRACTICES, and have transmitted it to the lieutenant governor for filing.

Senate Bill 239 introduces new terms that are not well-defined and could be used to initiate frivolous litigation. These new terms have not been adjudicated by the courts and could be used in ways opposite to the intent of the sponsor of the bill.

Utah enjoys a legal climate where business litigation is relatively predictable. This bill would cause uncertainty and complexity to our legal climate and could be a disincentive to internal business growth and the relocation of business to our state.

In order to preserve the predictability of the Utah legal climate I am vetoing this bill.

OLENE S. WALKER

Governor

Communications filed. **H.B. 1, H.B. 3, H.B. 115, H.B. 140, H.B. 158, S.B. 115, and S.B. 239**, were placed on the House Calendar for consideration of overriding the Governor's veto.

MISCELLANEOUS BUSINESS

Representative Philpot reported that his committee had waited upon the Senate and informed that Honorable Body that the House of Representatives was organized and ready to do business.

Representative Pace reported that her committee had waited upon the Governor and informed Her Excellency that the House of Representatives was organized and ready to do business.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Michael Kjar, Legislative Fiscal Analyst, and Gay Taylor, Legislative General Counsel.

On motion of Representative Alexander, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

April 26, 2004

I am directed to inform the House that on March 23, 2004, the Governor vetoed **S.B. 115**, by Senator Bramble. The Senate, upon reconsideration of **S.B. 115**, has voted to override the Governor's veto by a vote of 24 ayes, 5 nays, and 0 being absent. The same is transmitted herewith for the further consideration by the House.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Harper, **S.B. 115**, SPECIAL ELECTION DATES, was before the House.

On motion of Representative Harper, the House voted to override the veto on **S.B. 115**, SPECIAL ELECTION DATES, on the following roll call:

Yeas, 50; Nays, 22; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|------------|-------------|------------|--------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Bowman | Bryson | Bush | Buttars |
| Buxton | Christensen | D. Clark | Curtis |
| Dayton | Dee | Dillree | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Frank | Goodfellow | Hardy |
| Harper | Hendrickson | Hughes | E. Hutchings |
| B. Johnson | King | Kiser | Last |
| Lockhart | Love | Morley | Newbold |
| Noel | Peterson | Philpot | G. Snow |
| Styler | Thompson | Ure | Urquhart |
| Wallace | M. Stephens | | |

Voting in the negative were: Representatives

| | | | |
|-----------|-----------|-----------|----------|
| S. Allen | Biskupski | Bourdeaux | Buffmire |
| D. Cox | Daniels | Gowans | Hansen |
| Holdaway | Jones | Lawrence | Litvack |
| Mascaro | McCartney | McGee | Morgan |
| Moss | Murray | Pace | Seitz |
| Shurtliff | Webb | | |

Absent or not voting were: Representatives

| | | |
|--------|----------|-------|
| Becker | S. Clark | Hogue |
|--------|----------|-------|

S.B. 115 was overridden.

* * *

Mr. Speaker:

April 26, 2004

I am directed to inform the House that on March 23, 2004, the Governor vetoed **S.B. 239**, by Senator Dmitrich. The Senate, upon reconsideration of **S.B. 239**, has voted to override the Governor's veto by a vote of 27 ayes, 2 nays, and 0 being absent. The same is transmitted herewith for the further consideration by the House.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Urquhart, **S.B. 239**, UNFAIR BUSINESS PRACTICES, was before the House.

On motion of Representative Urquhart, the House voted to override the veto on **S.B. 239**, UNFAIR BUSINESS PRACTICES, on the following roll call:

Yeas, 56; Nays, 16; Absent or not voting, 3.

Voting in the affirmative were: Representatives

| | | | |
|-------------|------------|-----------|------------|
| Aagard | Adams | Alexander | Anderson |
| Barrus | Bennion | Bigelow | Bird |
| Biskupski | Bourdeaux | Bowman | Bryson |
| Buffmire | Bush | Buttars | D. Clark |
| D. Cox | Curtis | Dayton | Dee |
| Dillree | Donnelson | Dougall | Duckworth |
| Ferrin | Ferry | Frank | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | B. Johnson | Jones | King |
| Kiser | Last | Lockhart | McCartney |

| | | | |
|----------|-----------|----------|-------------|
| McGee | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Peterson |
| Philpot | Shurtliff | G. Snow | Styler |
| Thompson | Ure | Urquhart | M. Stephens |

Voting in the negative were: Representatives

| | | | |
|----------|----------|-------------|--------------|
| S. Allen | Buxton | Christensen | Daniels |
| Dunnigan | Holdaway | Hughes | E. Hutchings |
| Lawrence | Litvack | Love | Mascaro |
| Pace | Seitz | Wallace | Webb |

Absent or not voting were: Representatives

| | | |
|--------|----------|-------|
| Becker | S. Clark | Hogue |
|--------|----------|-------|

S.B. 239 was overridden.

MISCELLANEOUS BUSINESS

On motion of Representative Dunnigan, the House voted to adjourn sine die.

JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–FIFTH LEGISLATURE
2004 THIRD SPECIAL SESSION

Commencing June 28, 2004 and
Ending June 28, 2004

PUBLISHED BY AUTHORITY
UTAH LEGISLATIVE PRINTING OFFICE

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2004 Third Special Session of the Fifty–Fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Monday, June 28, 2004 and ending Monday, June 28, 2004.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk

**HOUSE JOURNAL
of the
FIFTY-FIFTH LEGISLATURE
of the
STATE OF UTAH

THIRD SPECIAL SESSION**

*** * ***

House Chamber
State Capitol
Salt Lake City, Utah
June 28, 2004

The House was called to order by Speaker Stephens at 12:15 p.m.

Roll call showed all members present, except Representatives Ralph Becker, Ron Bigelow, Calvin Bird, Judy Ann Buffmire, LaVar Christensen, Scott Daniels, Margaret Dayton, Brad Dee, Marda Dillree, and Carl Duckworth, absent.

Pledge of Allegiance and prayer by Representative Peggy Wallace.

On motion of Representative Greg J. Curtis, the House voted to continue with the same organization for the 2004 Third Special Session of the 55th Legislature as set up and constituted during the 2004 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

Speaker Martin R. Stephens appointed Carole E. Peterson as Chief Clerk.

The Chief Clerk read the following:

CERTIFICATION

I, GAYLE F. McKEACHNIE, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of June 24th, 2004, and signed by Governor Olene S. Walker, is a true and correct copy of the original Proclamation calling the

Fifty–Fifth Legislature of the State of Utah into a Special Session at the State Capitol at Salt Lake City, Utah, on the 28th day of June, 2004, at 12:00 o'clock noon, for the purposes named in the Proclamation.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the State Capitol in Salt Lake
City, Utah, this 24th day of
June, 2004.

GAYLE F. McKEACHNIE
Lieutenant Governor

Communication filed.

PROCLAMATION

WHEREAS, since the adjournment of the 2004 General Session of the Fifty–Fifth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, Olene S. Walker, 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–Fifth Legislature of the State of Utah into a Special Session at the Capitol Complex at Salt Lake City, Utah, on the 28th day of June, 2004, at 12 o'clock noon, for the following purpose:

1. to consider amendments related to SB 147, Streamlined Sales Tax Project Amendments, 2003 General Session and HB 273, Tax and Charge Amendments, 2004 General Session.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the Capitol Complex in Salt
Lake City, Utah, this 24th day
of June, 2004.

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Communication filed.

MISCELLANEOUS BUSINESS

On motion of Representative Philpot, the House voted to adopt the same House Rules and Joint Rules for the 2004 Third Special Session as adopted in the 2004 Annual General Session.

On motion of Representative Goodfellow, 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 Mike Thompson, Curt Webb, and David Litvack.

On motion of Representative Alexander, 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 Her Excellency that the House is organized and ready to do business.

The Speaker appointed Representatives Dana Love, Don Bush, and Duane Bourdeaux.

On motion of Representative Philpot, the House voted, as provided by the Utah Constitution, to suspend the requirement that every bill be read by title three separate times in the House of Representatives. It was further moved that this

suspension apply to all bills and resolutions introduced during the legislative session, except that a majority of the House may direct the reading of the long title, short title, or both of any House or Senate bill or resolution.

Representative Thompson informed the House of Representatives that his committee had waited upon the Senate and informed them that the House was organized and ready to do business.

Representative Love informed the House of Representatives that the joint committee had waited upon the Governor and informed her that the Legislature was organized and ready to do business.

Senators Buttars, Gladwell, and Hale formally notified the House of Representatives that the Senate was organized and ready to do business.

* * *

On motion of Representative Curtis, the House voted to recess until 1:00 p.m.

Speaker Stephens called the House to order at 1:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

June 28, 2004

The Senate passed, as amended, **S.B. 3001**, TAXES, FEES, OR CHARGES AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **S.B. 3001** was read the first time by short title. On motion of Representative Curtis, the House voted, under suspension of the rules, to consider **S.B. 3001** read the second time by short title and placed on the calendar for third reading.

THIRD READING CALENDAR

S.B. 3001, TAXES, FEES, OR CHARGES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 3001, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard

Adams

Alexander

S. Allen

Anderson

Barrus

Bennion

Biskupski

| | | | |
|-------------|--------------|------------|----------|
| Bourdeaux | Bowman | Bryson | Bush |
| Buttars | Buxton | D. Clark | S. Clark |
| D. Cox | Curtis | Donnelson | Dougall |
| Dunnigan | Ferrin | Ferry | Frank |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | E. Hutchings | B. Johnson | Jones |
| King | Kiser | Last | Lawrence |
| Litvack | Lockhart | Love | Mascaro |
| McCartney | McGee | Morgan | Morley |
| Moss | Murray | Newbold | Noel |
| Pace | Peterson | Philpot | Seitz |
| Shurtliff | G. Snow | Styler | Thompson |
| Ure | Urquhart | Wallace | Webb |
| M. Stephens | | | |

Absent or not voting were: Representatives

| | | | |
|-------------|-----------|--------|----------|
| Becker | Bigelow | Bird | Buffmire |
| Christensen | Daniels | Dayton | Dee |
| Dillree | Duckworth | | |

S.B. 3001 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House has completed its business and is ready to adjourn sine die. The Speaker appointed Representatives Gregg Buxton, Roger Barrus, and Ty McCartney.

On motion of Representative Curtis, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor to inform Her Excellency that the Legislature had completed its business and was prepared to adjourn sine die. The Speaker appointed Representatives Morgan Philpot, Greg Hughes, and Roz McGee.

On motion of Representative Curtis, the House voted to adjourn the Third Special Session of the 55th Legislature of the State of Utah sine die at 1:30 p.m.

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SENATE BILLS

THIRD SPECIAL SESSION

S.B. 3001 — TAXES, FEES, OR CHARGES AMENDMENTS (*C. Bramble*)

| | |
|--|------|
| Read the first time by short title and referred to Rules Committee | 1456 |
| Read the second time | 1456 |
| Read the third time | 1456 |
| Signed by the Speaker and returned to the Senate | 1457 |